

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

21ST LEGISLATIVE DAY

MONDAY, APRIL 2, 2001

4:00 O'CLOCK P.M.

No. 21
[Apr. 2, 2001]

The Senate met pursuant to adjournment.
 Senator Laura Kent Donahue, Quincy, Illinois, presiding.
 Prayer by Pastor Donald Pritchard, Zion Lutheran Church, Pleasant Plains, Illinois.
 Senator Radogno led the Senate in the Pledge of Allegiance.

Senator Myers moved that reading and approval of the Journals of Thursday, March 29, 2001 and Friday, March 30, 2001 be postponed pending arrival of the printed Journals.
 The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

A report on Winter Damage Repair Initiative, Spring 2001, submitted by the Department of Transportation.

The foregoing report was ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

The following floor amendments to the Senate Bills listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 1 to Senate Bill 70
 Senate Amendment No. 1 to Senate Bill 150
 Senate Amendment No. 3 to Senate Bill 164
 Senate Amendment No. 4 to Senate Bill 206
 Senate Amendment No. 2 to Senate Bill 216
 Senate Amendment No. 1 to Senate Bill 233
 Senate Amendment No. 1 to Senate Bill 251
 Senate Amendment No. 1 to Senate Bill 252
 Senate Amendment No. 2 to Senate Bill 356
 Senate Amendment No. 2 to Senate Bill 526
 Senate Amendment No. 2 to Senate Bill 528
 Senate Amendment No. 1 to Senate Bill 548
 Senate Amendment No. 1 to Senate Bill 571
 Senate Amendment No. 2 to Senate Bill 608
 Senate Amendment No. 4 to Senate Bill 629
 Senate Amendment No. 1 to Senate Bill 635
 Senate Amendment No. 2 to Senate Bill 636
 Senate Amendment No. 2 to Senate Bill 663
 Senate Amendment No. 2 to Senate Bill 694
 Senate Amendment No. 2 to Senate Bill 722
 Senate Amendment No. 3 to Senate Bill 722
 Senate Amendment No. 2 to Senate Bill 724
 Senate Amendment No. 1 to Senate Bill 725
 Senate Amendment No. 1 to Senate Bill 727
 Senate Amendment No. 3 to Senate Bill 750
 Senate Amendment No. 1 to Senate Bill 856
 Senate Amendment No. 2 to Senate Bill 885
 Senate Amendment No. 2 to Senate Bill 926
 Senate Amendment No. 2 to Senate Bill 945
 Senate Amendment No. 2 to Senate Bill 946
 Senate Amendment No. 1 to Senate Bill 959

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Senate Amendment No. 2 to Senate Bill 980
 Senate Amendment No. 1 to Senate Bill 1014
 Senate Amendment No. 3 to Senate Bill 1081
 Senate Amendment No. 1 to Senate Bill 1089
 Senate Amendment No. 1 to Senate Bill 1111
 Senate Amendment No. 1 to Senate Bill 1148
 Senate Amendment No. 2 to Senate Bill 1151
 Senate Amendment No. 1 to Senate Bill 1225
 Senate Amendment No. 1 to Senate Bill 1256
 Senate Amendment No. 2 to Senate Bill 1304
 Senate Amendment No. 3 to Senate Bill 1304
 Senate Amendment No. 4 to Senate Bill 1304
 Senate Amendment No. 5 to Senate Bill 1304
 Senate Amendment No. 2 to Senate Bill 1309
 Senate Amendment No. 1 to Senate Bill 1521

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1784
 A bill for AN ACT in relation to criminal law.
 HOUSE BILL NO. 1807
 A bill for AN ACT in relation to health.
 HOUSE BILL NO. 1812
 A bill for AN ACT concerning organized gangs, which may be referred to as the Severo Anti-gang Amendments of 2001.
 HOUSE BILL NO. 2113
 A bill for AN ACT in relation to taxation.
 HOUSE BILL NO. 2381
 A bill for AN ACT in relation to taxation.
 HOUSE BILL NO. 2487
 A bill for AN ACT concerning employment.
 HOUSE BILL NO. 2550
 A bill for AN ACT in relation to children.
 HOUSE BILL NO. 3017
 A bill for AN ACT concerning tourism.
 HOUSE BILL NO. 3154
 A bill for AN ACT in relation to criminal law.
 HOUSE BILL NO. 3280
 A bill for AN ACT in relation to conditions of employment.
 HOUSE BILL NO. 3618
 A bill for AN ACT concerning State property.

Passed the House, March 30, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 1784, 1807, 1812, 2113, 2381, 2487, 2550, 3017, 3154, 3280 and 3618 were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the

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House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1
 A bill for AN ACT in relation to child death review.
 HOUSE BILL NO. 185
 A bill for AN ACT concerning public transportation.
 HOUSE BILL NO. 549
 A bill for AN ACT concerning public defenders.
 HOUSE BILL NO. 800
 A bill for AN ACT concerning insurance.
 HOUSE BILL NO. 888
 A bill for AN ACT in relation to criminal law.
 HOUSE BILL NO. 909
 A bill for AN ACT in relation to the Illinois work force.
 HOUSE BILL NO. 1051
 A bill for AN ACT concerning payable on death accounts.
 HOUSE BILL NO. 1798
 A bill for AN ACT concerning elections.
 HOUSE BILL NO. 2519
 A bill for AN ACT concerning an academy for performing, visual, and cultural arts.
 HOUSE BILL NO. 3078
 A bill for AN ACT concerning freedom of information.
 HOUSE BILL NO. 3217
 A bill for AN ACT concerning property.

Passed the House, April 2, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 1, 185, 549, 800, 888, 909, 1051, 1798, 2519, 3078 and 3217 were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 176
 A bill for AN ACT concerning telephone solicitation.
 HOUSE BILL NO. 1027
 A bill for AN ACT concerning the General Assembly.
 HOUSE BILL NO. 3006
 A bill for AN ACT concerning the Illinois River watershed.
 HOUSE BILL NO. 3347
 A bill for AN ACT concerning radioactive waste storage.

Passed the House, April 2, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 176, 1027, 3006 and 3347 were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the

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House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 17

WHEREAS, The members of the General Assembly wish to express their sincere condolences to the family and friends of Michael McKean and Clint Talley, two brave firefighters in the Ashton Fire Protection District, who passed away on February 17, 2001, while in the line of duty; and

WHEREAS, On Saturday morning, February 17, 2001, Mike McKean and Clint Talley were called into duty to combat a housefire; upon entering the fiery scene, the first floor of the flaming house collapsed into the basement on top of the two firefighters; and

WHEREAS, Mike L. McKean was born on February 16, 1969 to Michael and Cheryl McKean; he married Tonya Webb on March 31, 2000 in Dixon, Illinois; and

WHEREAS, Mike McKean was a volunteer fireman for the Ashton Fire Protection District for the last two years and of that time, he served as an Emergency Medical Technician (EMT) for one year; and

WHEREAS, The passing of Mike McKean will be deeply felt by all who knew and loved him, especially his wife, Tonya; his children, Zion Patrick, Andrew Gene, and Tobi Lynn; his parents, Michael and Cheryl McKean; his sister, Jolene McKean; and his nieces and nephews; and

WHEREAS, Clint Talley was born on July 3, 1973, to Mark and Diana Talley; he married Lori Kersten on May 20, 1995, in Ashton, Illinois; and

WHEREAS, Clint Talley was a volunteer firefighter for the Ashton Fire Protection District and an Emergency Medical Technician (EMT) for the last five years; and

WHEREAS, The passing of Clint Talley will be deeply felt by all who knew and loved him, especially his wife, Lori; his children, Jamie and Kristen; his brother, Jason; his sister, Beckie; his parents, Mark and Diana Talley; his grandparents, Dorothy Talley, Mickey Hallstrom, and Ed and Carol Sandeen; his great-grandmother, Caroline Oldenburg; his niece; and his two nephews; and

WHEREAS, Mike McKean and Clint Talley gave their lives unselfishly and unconditionally to protect the safety of the citizens of the Ashton community; their loyalty and dedication to their department, family and to the citizens of the Ashton community are examples of what true heroes are; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we mourn, along with all who knew them, the deaths of our fallen heroes, Michael McKean and Clint Talley of Ashton, Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the families of Michael McKean and Clint Talley with out sincere condolences.

Adopted by the House, March 16, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing message from the House of Representatives, reporting House Joint Resolution No. 17, was referred to the Resolutions Consent Calendar.

PRESENTATION OF RESOLUTIONS

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SENATE RESOLUTION NO. 99

Offered by Senator Link and all Senators:
Mourns the death of Walter C. Jahnke of North Chicago.

SENATE RESOLUTION NO. 100

Offered by Senator Shadid and all Senators:
Mourns the death of Clifton Miller of Edwards.

SENATE RESOLUTION NO. 101

Offered by Senator Demuzio and all Senators:
Mourns the death of Mary Antoinette Freeman of Chicago

The foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator O'Malley offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 102

WHEREAS, There are over 1,430 townships in Illinois serving a majority of Illinois citizens throughout the State; and

WHEREAS, Township government is the local government closest to the people in Illinois providing services not otherwise available; and

WHEREAS, Townships serve residents of unincorporated areas by providing essential services such as roads, social services, and transportation and may also provide specialized services including youth and senior services, health care, recycling, and libraries; and
THEREFORE, BE IT RESOLVED BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That the Senate Task Force on Township Government is hereby created to be composed of seven members, four appointed by the Senate President and three appointed by the Senate Minority Leader; and be it further

RESOLVED, The seven members of the Task Force shall be members of the Illinois State Senate (one of whom shall be designated as the Chairperson by the Senate President); and be it further

RESOLVED, That the Task Force shall examine various issues relating to township government including, but not limited to: modernizing township operations, streamlining provision of service, and improving government programs, and be it further

RESOLVED, That the Task Force on Township Government shall submit a final report to the Senate on or before December 31, 2001.

EXCUSED FROM ATTENDANCE

Senator Maitland was excused from attendance due to illness.

Senator Smith was excused from attendance due to illness.

On motion of Senator Demuzio, Senators Clayborne, Shaw, and Viverito were excused from attendance due to personal business.

On motion of Senator Demuzio, Senator E. Jones was excused from attendance due to a death in the family.

On motion of Senator Demuzio, Senator Silverstein was excused from attendance due to legislative business.

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REPORTS FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, during its April 2, 2001 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: Senate Amendment No. 2 to Senate Bill 636; Senate Amendments numbered 2 and 3 to Senate Bill 722;

Environment and Energy: Senate Amendment No. 2 to Senate Bill 356; Senate Amendment No. 2 to Senate Bill 694.

Executive: Senate Amendment No. 2 to Senate Bill 926.

Insurance and Pensions: Senate Amendment No. 1 to Senate Bill 1256.

Judiciary: Senate Amendment No. 2 to Senate Bill 216; Senate Amendment No. 1 to Senate Bill 233; Senate Amendment No. 1 to Senate Bill 725; Senate Amendment No. 1 to Senate Bill 727; Senate Amendment No. 2 to Senate Bill 844; Senate Amendment No. 1 to Senate Bill 1014; Senate Amendment No. 1 to Senate Bill 1148; Senate Amendment No. 2 to Senate Bill 1309.

Licensed Activities: Senate Amendment No. 1 to Senate Bill 447; Senate Amendment No. 1 to Senate Bill 571; Senate Amendment No. 1 to Senate Bill 1089; Senate Amendment No. 1 to Senate Bill 1225; Senate Amendment No. 1 to Senate Bill 1283; Senate Amendment No. 1 to Senate Bill 1284.

Local Government: Senate Amendment No. 4 to Senate Bill 32; Senate Amendment No. 2 to Senate Bill 663; Senate Amendment No. 2 to Senate Bill 945; Senate Amendment No. 2 to Senate Bill 946; Senate Amendment No. 2 to Senate Bill 980.

Public Health and Welfare: Senate Amendment No. 2 to Senate Bill 608; Senate Amendment No. 2 to Senate Bill 885; Senate Amendment No. 1 to Senate Bill 959; Senate Amendment No. 3 to Senate Bill 1081; Senate Amendments numbered 2, 3, 4 and 5 to Senate Bill 1304.

Revenue: Senate Amendment No. 1 to Senate Bill 1111.

State Government Operations: Senate Amendment No. 1 to Senate Bill 70; Senate Amendment No. 1 to Senate Bill 635.

Transportation: Senate Amendment No. 1 to Senate Bill 1521.

Senator Weaver, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

Senate Amendment 1 to Senate Bill 89
 Senate Amendment 1 to Senate Bill 146
 Senate Amendment 1 to Senate Bill 150
 Senate Amendment 3 to Senate Bill 164
 Senate Amendment 4 to Senate Bill 206
 Senate Amendment 1 to Senate Bill 251
 Senate Amendment 2 to Senate Bill 526
 Senate Amendment 2 to Senate Bill 528
 Senate Amendment 2 to Senate Bill 653
 Senate Amendment 3 to Senate Bill 750
 Senate Amendment 1 to Senate Bill 856
 Senate Amendment 2 to Senate Bill 860
 Senate Amendment 2 to Senate Bill 1151

The foregoing floor amendments were placed on the Secretary's Desk.

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READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Hawkinson, Senate Bill No. 1 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, Senate Bill No. 114 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Public Health and Welfare, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 114 by replacing the title with the following:

"AN ACT in relation to emergency medical services."; and by replacing everything after the enacting clause with the following: "Section 5. The Sexual Assault Survivors Emergency Treatment Act is amended by changing Section 2 and adding Section 2.2 as follows:

(410 ILCS 70/2) (from Ch. 111 1/2, par. 87-2)

Sec. 2. Hospitals to furnish emergency service. Every hospital required to be licensed by the Department of Public Health pursuant to the Hospital Licensing Act, approved July 1, 1953, as now or hereafter amended, which provides general medical and surgical hospital services shall provide emergency hospital service, in accordance with rules and regulations adopted by the Department of Public Health, to all alleged sexual assault survivors who apply for such hospital emergency services in relation to injuries or trauma resulting from the sexual assault.

In addition every such hospital, regardless of whether or not a request is made for reimbursement, except hospitals participating in community or area wide plans in compliance with Section 4 of this Act, shall submit to the Department of Public Health a plan to provide hospital emergency services to alleged sexual assault survivors which shall be made available by such hospital. Such plan shall be submitted within 60 days of receipt of the Department's request for this plan, to the Department of Public Health for approval prior to such plan becoming effective. The Department of Public Health shall approve such plan for emergency service to alleged sexual assault survivors if it finds that the implementation of the proposed plan would provide adequate hospital emergency service for alleged sexual assault survivors and provide sufficient protections from the risk of pregnancy by sexual assault survivors.

The Department of Public Health shall periodically conduct on site reviews of such approved plans with hospital personnel to insure that the established procedures are being followed.

(Source: P.A. 89-507, eff. 7-1-97; 90-587, eff. 7-1-98.)

(410 ILCS 70/2.2 new)

Sec. 2.2. Emergency contraception.

(a) The General Assembly finds:

(1) Crimes of sexual violence cause significant physical, emotional, and psychological trauma to the victims. This trauma is compounded by a victim's fear of becoming pregnant and bearing a child as a result of the sexual assault.

(2) Each year over 32,000 women become pregnant in the United States as the result of rape and approximately 50% of these pregnancies end in abortion.

(3) As approved for use by the Federal Food and Drug Administration (FDA), emergency contraception can significantly reduce the risk of pregnancy if taken within 72 after the sexual assault.

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(4) By providing emergency contraception to rape victims in a timely manner, the trauma of rape can be significantly reduced.
(b) Within 120 days after the effective date of this amendatory Act of the 92nd General Assembly, every hospital providing services to alleged sexual assault survivors in accordance with a plan approved under Section 2 must develop and implement a protocol that ensures that each survivor of sexual assault will receive medically and factually accurate and written and oral information about emergency contraception; the indications and counter-indications and risks associated with the use of emergency contraception; and a description of how and when victims may be provided emergency contraception upon the written order of the emergency room physician licensed to practice medicine in all its branches. The Department shall approve the protocol if it finds that the implementation of the protocol would provide sufficient protection for survivors of an alleged sexual assault."

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Rauschenberger, Senate Bill No. 146 having been printed, was taken up and read by title a second time.

Senator Rauschenberger offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 146 by replacing everything after the enacting clause with the following:

"Section 5. The Retailers' Occupation Tax Act is amended by changing Section 14 as follows:

(35 ILCS 120/14) (from Ch. 120, par. 453)

Sec. 14. Short title; additional tax. This Act shall be known as the "Retailers' Occupation Tax Act" and the tax herein imposed shall be in addition to all other occupation or privilege taxes imposed by the State of Illinois or by any municipal corporation or political subdivision thereof.

(Source: Laws 1933, p. 924.)".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator R. Madigan, Senate Bill No. 526 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Licensed Activities, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 526 by replacing everything after the enacting clause with the following:

"Section 5. The Naprapathic Practice Act is amended by changing Section 50 as follows:

(225 ILCS 63/50)

Sec. 50. Naprapathic Examining Committee. The Director shall appoint a Naprapathic Examining Committee to consist of 7 persons who shall be appointed by and shall serve in an advisory capacity to the Director. Five members must hold an active license to engage in the

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practice of naprapathy in this State. Committee membership shall consist of at least one appointee, who shall be a member in good standing, from each of the following: (i) the American Naprapathic Association; (ii) the Illinois Naprapathic Association, and (iii) the naprapathic faculty of the Chicago National College of Naprapathy, one member shall be a physician licensed to practice medicine in all of its branches in Illinois, and one member must be a member of the public who is not licensed under this Act or a similar Act of another jurisdiction or has no connection with the profession. The initial appointees who would otherwise be required to be licensed naprapaths shall instead be individuals who have been practicing naprapathy for at least 5 years and who would be eligible under this Act for licensure as naprapaths. Neither the public member nor the physician member shall participate in the preparation or administration of the examination of applicants for licensure. The public member shall not be a voting member.

Members shall serve 4 year terms and until their successors are appointed and qualified, except that of the initial appointments, 2 members shall be appointed to serve for 2 years, 2 shall be appointed to serve for 3 years and the remaining members shall be appointed to serve for 4 years and until their successors are appointed and qualified. No member shall be reappointed to the Committee for a term that would cause his or her continuous service on the Committee to be longer than 8 consecutive years. Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term. Initial terms shall begin upon the effective date of this Act. Committee members in office on that date shall be appointed to specific terms as indicated in this Section.

The Committee shall annually elect a chairman and a vice-chairman who shall preside in the absence of the chairman.

The membership of the Committee should reasonably reflect representation from the geographic areas in this State.

The Director may terminate the appointment of any member for cause.

The Director may give due consideration to all recommendations of the Committee.

Without limiting the power of the Department to conduct investigations in any manner, the Committee may recommend to the Director that one or more licensed naprapaths be selected by the Director to conduct or assist in any investigation under this Act. A licensed naprapath so selected may receive remuneration as determined by the Director.

(Source: P.A. 89-61, eff. 6-30-95.)"

Senator R. Madigan offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 526, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Naprapathic Practice Act is amended by changing Section 50 as follows:

(225 ILCS 63/50)

Sec. 50. Naprapathic Examining Committee. The Director shall appoint a Naprapathic Examining Committee to consist of 7 persons who shall be appointed by and shall serve in an advisory capacity to the Director. Five members must hold an active license to engage in the practice of naprapathy in this State. Committee membership shall consist of at least one appointee, who shall be a member in good

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standing, from each of the following: (i) the American Naprapathic Association; (ii) the Illinois Naprapathic Association, and (iii) the naprapathic faculty of the Chicago National College of Naprapathy, one member shall be a physician licensed to practice medicine in all of its branches in Illinois, and one member must be a member of the public who is not licensed under this Act or a similar Act of another jurisdiction or has no connection with the profession. The initial appointees who would otherwise be required to be licensed naprapaths shall instead be individuals who have been practicing naprapathy for at least 5 years and who would be eligible under this Act for licensure as naprapaths. Neither the public member nor the physician member shall participate in the preparation or administration of the examination of applicants for licensure.

Members shall serve 4 year terms and until their successors are appointed and qualified, except that of the initial appointments, 2 members shall be appointed to serve for 2 years, 2 shall be appointed to serve for 3 years and the remaining members shall be appointed to serve for 4 years and until their successors are appointed and qualified. No member shall be reappointed to the Committee for a term that would cause his or her continuous service on the Committee to be longer than 8 consecutive years. Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term. Initial terms shall begin upon the effective date of this Act. Committee members in office on that date shall be appointed to specific terms as indicated in this Section.

The Committee shall annually elect a chairman and a vice-chairman who shall preside in the absence of the chairman.

The membership of the Committee should reasonably reflect representation from the geographic areas in this State.

The Director may terminate the appointment of any member for cause.

The Director may give due consideration to all recommendations of the Committee.

Without limiting the power of the Department to conduct investigations in any manner, the Committee may recommend to the Director that one or more licensed naprapaths be selected by the Director to conduct or assist in any investigation under this Act. A licensed naprapath so selected may receive remuneration as determined by the Director.

(Source: P.A. 89-61, eff. 6-30-95.)

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2, were ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Petka, Senate Bill No. 604 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 604 as follows:
on page 1, line 5 by replacing "Section 24-3" with "Sections 24-1 and 24-3"; and
on page 1, below line 5, by inserting the following:

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"(720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

Sec. 24-1. Unlawful Use of Weapons.

(a) A person commits the offense of unlawful use of weapons when he knowingly:

(1) Sells, manufactures, purchases, possesses or carries any bludgeon, black-jack, slung-shot, sand-club, sand-bag, metal knuckles, throwing star, or any knife, commonly referred to as a switchblade knife, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or a ballistic knife, which is a device that propels a knifelike blade as a projectile by means of a coil spring, elastic material or compressed gas; or

(2) Carries or possesses with intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto, broken bottle or other piece of glass, stun gun or taser or any other dangerous or deadly weapon or instrument of like character; or

(3) Carries on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance, other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older; or

(4) Carries or possesses in any vehicle or concealed on or about his person except when on his land or in his own abode or fixed place of business any pistol, revolver, stun gun or taser or other firearm, except that this subsection (a) (4) does not apply to or affect transportation of weapons that meet one of the following conditions:

(i) are broken down in a non-functioning state; or

(ii) are not immediately accessible; or

(iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container by a person who has been issued a currently valid Firearm Owner's Identification Card; or

(5) Sets a spring gun; or

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(7) Sells, manufactures, purchases, possesses or carries:

(i) a machine gun, which shall be defined for the purposes of this subsection as any weapon, which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot without manually reloading by a single function of the trigger, including the frame or receiver of any such weapon, or sells, manufactures, purchases, possesses, or carries any combination of parts designed or intended for use in converting any weapon into a machine gun, or any combination or parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person;

(ii) any rifle having one or more barrels less than 16 inches in length or a shotgun having one or more barrels less than 18 inches in length or any weapon made from a rifle or shotgun, whether by alteration, modification, or otherwise, if such a weapon as modified has an overall length of less than 26 inches; or

(iii) any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes, such as, but not limited to, black powder bombs and Molotov cocktails or

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artillery projectiles; or

(8) Carries or possesses any firearm, stun gun or taser or other deadly weapon in any place which is licensed to sell intoxicating beverages, or at any public gathering held pursuant to a license issued by any governmental body or any public gathering at which an admission is charged, excluding a place where a showing, demonstration or lecture involving the exhibition of unloaded firearms is conducted.

This subsection (a)(8) does not apply to any auction or raffle of a firearm held pursuant to a license or permit issued by a governmental body, nor does it apply to persons engaged in firearm safety training courses; or

(9) Carries or possesses in a vehicle or on or about his person any pistol, revolver, stun gun or taser or firearm or ballistic knife, when he is hooded, robed or masked in such manner as to conceal his identity; or

(10) Carries or possesses on or about his person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his land or in his own abode or fixed place of business, any pistol, revolver, stun gun or taser or other firearm, except that this subsection (a) (10) does not apply to or affect transportation of weapons that meet one of the following conditions:

(i) are broken down in a non-functioning state; or

(ii) are not immediately accessible; or

(iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container by a person who has been issued a currently valid Firearm Owner's Identification Card.

A "stun gun or taser", as used in this paragraph (a) means

(i) any device which is powered by electrical charging units, such as, batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning or

(ii) any device which is powered by electrical charging units, such as batteries, and which, upon contact with a human or clothing worn by a human, can send out current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning; or

(11) Sells, manufactures or purchases any explosive bullet. For purposes of this paragraph (a) "explosive bullet" means the projectile portion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. "Cartridge" means a tubular metal case having a projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in such tube between the projectile and the cap; or

(12) (Blank).

(b) Sentence. A person convicted of a violation of subsection 24-1(a)(1) through (5), subsection 24-1(a)(10), or subsection 24-1(a)(11) commits a Class A misdemeanor. A person convicted of a violation of subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a person convicted of a violation of subsection 24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person convicted of a violation of subsection 24-1(a)(7)(i) commits a Class 2 felony, unless the weapon is possessed in the passenger compartment of a

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motor vehicle as defined in Section 1-146 of the Illinois Vehicle Code, or on the person, while the weapon is loaded, in which case it shall be a Class X felony. A person convicted of a second or subsequent violation of subsection 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3 felony.

(c) Violations in specific places.

(1) A person who violates subsection 24-1(a)(6) or 24-1(a)(7) in any school, regardless of the time of day or the time of year, in residential property owned, operated or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on the real property comprising any school, regardless of the time of day or the time of year, on residential property owned, operated or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 2 felony.

(1.5) A person who violates subsection 24-1(a)(4), 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the time of day or the time of year, in residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on the real property comprising any school, regardless of the time of day or the time of year, on residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 3 felony.

(2) A person who violates subsection 24-1(a)(1), 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the time of day or the time of year, in residential property owned, operated or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on the real property comprising any school, regardless of the time of day or the time of year, on residential property owned, operated or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, public park, courthouse, or residential property owned, operated, or

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managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 4 felony. "Courthouse" means any building that is used by the Circuit, Appellate, or Supreme Court of this State for the conduct of official business.

(3) Paragraphs (1), (1.5), and (2) of this subsection (c) shall not apply to law enforcement officers or security officers of such school, college, or university or to students carrying or possessing firearms for use in training courses, parades, hunting, target shooting on school ranges, or otherwise with the consent of school authorities and which firearms are transported unloaded enclosed in a suitable case, box, or transportation package.

(4) For the purposes of this subsection (c), "school" means any public or private elementary or secondary school, community college, college, or university.

(d) The presence in an automobile other than a public omnibus of any weapon, instrument or substance referred to in subsection (a)(7) is prima facie evidence that it is in the possession of, and is being carried by, all persons occupying such automobile at the time such weapon, instrument or substance is found, except under the following circumstances: (i) if such weapon, instrument or instrumentality is found upon the person of one of the occupants therein; or (ii) if such weapon, instrument or substance is found in an automobile operated for hire by a duly licensed driver in the due, lawful and proper pursuit of his trade, then such presumption shall not apply to the driver.

(e) Exemptions. Crossbows, Common or Compound bows and Underwater Spearguns are exempted from the definition of ballistic knife as defined in paragraph (1) of subsection (a) of this Section.

(f) Affirmative defense. It is an affirmative defense to a violation of subsection 24-1(a)(4) or 24-1(a)(10) of this Section that a person who possessed the firearm had an order of protection issued against another person.

(Source: P.A. 90-686, eff. 1-1-99; 91-673, eff. 12-22-99; 91-690, eff. 4-13-00.)"

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Klemm, Senate Bill No. 727 having been printed, was taken up and read by title a second time.

Floor Amendment No. 1 was filed earlier today and referred to the Committee on Judiciary by the Rules Committee.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Myers, Senate Bill No. 860 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on State Government Operations, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 860 on page 2, in line 22, by replacing "or" with "or"; and on page 2, in line 23, after "action", by inserting ", or acts of domestic terrorism"; and on page 7, by inserting after line 5 the following:

"(2.5) Cooperate with the Department of Nuclear Safety in

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development of the comprehensive emergency preparedness and response plan for any nuclear accident in accordance with Section 2005-65 of the Department of Nuclear Safety Law of the Civil Administrative Code of Illinois and in development of the Illinois Nuclear Safety Preparedness program in accordance with Section 8 of the Illinois Nuclear Safety Preparedness Act."; and on page 23, by replacing lines 20 through 33 with the following: "training exercise, training related to the emergency operations plan of the political subdivision, or a search-and-rescue team response to an occurrence or threat of injury or loss of life that is beyond local response capabilities, suffer disease, injury or death, shall, for the purposes of benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act only, be deemed to be employees of the State, if: (1) the claimant is a duly qualified and enrolled (sworn in) as a volunteer of the Illinois Emergency Management Agency or an emergency services and disaster agency accredited by the Illinois Emergency Management Agency, and (2) if: (i) the claimant was participating in a an-actual disaster as defined in paragraph-(e) of Section 4 of this Act, (ii) or the exercise or training participated in was specifically and expressly approved by the Illinois Emergency Management Agency prior to the exercise or training, or (iii) the search-and-rescue team response was to an occurrence or threat of injury or loss of life that was beyond local response capabilities and was specifically and expressly approved by the Illinois Emergency Management Agency prior to the search-and-rescue team response. Illinois-Emergency-Management".

Senator Myers offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 860 on page 13, in line 1 by replacing "cattle, poultry," with "animals and livestock; feed and seed; cattle, poultry,"; and on page 13, in line 2 by replacing "food," with "food,".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2, were ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator R. Madigan, Senate Bill No. 943 having been printed was taken up and read by title a second.

Floor Amendment No. 1 was held in the Committee on Insurance and Pensions.

There being no further amendments the bill was ordered to a third reading.

On motion of Senator R. Madigan, Senate Bill No. 944 having been printed was taken up and read by title a second.

Floor Amendment No. 1 was held in the Committee on Insurance and Pensions.

There being no further amendments the bill was ordered to a third reading.

On motion of Senator Sullivan, Senate Bill No. 970 having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Hawkinson, Senate Bill No. 1011 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hawkinson, Senate Bill No. 1012 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Klemm, Senate Bill No. 1107 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Watson, Senate Bill No. 1151 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on State Government Operations, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1151 by replacing the title with the following:

"AN ACT in relation to the repeal, deletion, and amendment of certain statutory provisions.

WHEREAS, It is the intent of the General Assembly that nothing in this Public Act shall be construed to have any effect on (i) any action taken under any provision of law before the repeal or deletion of the provision of law by this Public Act or (ii) any right, remedy, immunity from liability, right or duty of confidentiality, conveyance, or legal status that was created, conferred, or imposed by any provision of law before the repeal or deletion of the provision of law by this Public Act; therefore"; and by replacing everything after the enacting clause with the following:

"Section 5. The Supported Employees Act is amended by changing Section 4 as follows:

(5 ILCS 390/4) (from Ch. 127, par. 3904)

Sec. 4. The Department, working with the Departments of Human Services and Public Aid, any funder or provider or both, and the Interagency Committee on Handicapped Employees with Disabilities, shall seek the cooperation, assistance and participation of all State agencies in the development and implementation of a supported employment program. ~~It shall be the goal of the program to appoint a minimum of 25 supported employees to State agency positions prior to June 30, 1991.~~

(Source: P.A. 89-507, eff. 7-1-97.)

Section 10. The Illinois Act on the Aging is amended by changing Section 4.02a as follows:

(20 ILCS 105/4.02a) (from Ch. 23, par. 6104.02a)

Sec. 4.02a. Study of board and care homes.

(a) The Department shall conduct a study to determine the need for and viability of establishing laws and regulations governing board and care homes in Illinois. This study shall be conducted in cooperation with the Department of Public Health.

The Department and the Department of Public Health shall conduct at least 3 public hearings on the issue of board and care. Board and care legislation and policy from other states shall be researched, as well as the administrative structure and costs of board and care oversight.

(b) The Department shall submit a written report to the General Assembly by April 1, 1992, summarizing its activities and recommendations and the research of other states. The report shall minimally include:

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(1) The advisability of developing a system for registration or licensing of board and care homes to provide room, board and personal care to older persons and disabled persons in Illinois.

(2) The definition of personal care to be used by board and care homes.

(3) The size and composition of board and care homes, such as foster care homes, and personal care boarding homes, to be licensed or registered.

(4) The minimum qualifications and training requirements for operators of board and care homes.

(5) The general conditions of homes to be licensed or registered.

(6) The recommended bill of rights for persons who reside in board and care homes.

(7) The role of the Department and the Department of Public Health in licensing or registering board and care homes and the role of the Long Term Care Ombudsman Program.

(8) The projected number of board and care homes that would be licensed or registered and the projected number of persons who may reside in board and care homes.

(9) The cost of licensing or registering and oversight of board and care homes and the projected cost of providing services to residents of board and care homes.

(c) This Section is repealed on July 1, 2002.

(Source: P.A. 87-162.)

Section 15. The Children and Family Services Act is amended by changing Section 34.12 as follows:

(20 ILCS 505/34.12)

Sec. 34.12. Federal family resource and support program grants. Each year By--January--1, 1994, the Department shall submit an application to the Commissioner of the Administration on Children, Youths, and Families under 42 USCA Sections 12336, 12337, and 12338 for a family resource and support program grant to expand, develop, and operate a network of local family resource and support programs. (Source: P.A. 88-487; 88-670, eff. 12-2-94.)

Section 20. The Economic Development Area Tax Increment Act is amended by adding Section 11.1 as follows:

(20 ILCS 620/11.1 new)

Sec. 11.1. Repeal. This Act is repealed on July 1, 2002.

Section 25. The Export Trading Company Act is amended by adding Section 8.1 as follows:

(20 ILCS 650/8.1 new)

Sec. 8.1. Repeal. This Act is repealed on July 1, 2002.

Section 30. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Sections 2310-75, 2310-275, and 2310-315 as follows:

(20 ILCS 2310/2310-75) (was 20 ILCS 2310/55.38)

Sec. 2310-75. Impact of diesel powered equipment and explosives in underground coal mines. The Department shall conduct a study of underground coal mines that use diesel powered equipment or explosives while persons are working underground. The study shall include, at a minimum, an assessment of the health and safety impacts from the use of those practices and equipment. The Department shall report its findings to the Governor and the General Assembly by no later than January 1, 1986.

This Section is repealed on July 1, 2002.

(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 2310/2310-275) (was 20 ILCS 2310/55.61)

Sec. 2310-275. Child health insurance plan study.

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(a) The Department, in cooperation with the Department of Insurance and the Department of Public Aid, shall undertake a study to determine the feasibility of establishing a child health insurance plan to provide primary and preventive health care services for children. The study shall provide an analysis of the types of health care services and benefits needed, including, but not limited to, well-child care, diagnosis and treatment of illness and injury, prescription drugs, and laboratory services. The study shall include an analysis of the cost of the plan and possible sources of funding. The study shall include a review of similar plans operating in other states.

(b) The Department shall file its report as provided in Section 3.1 of the General Assembly Organization Act no later than 6 months after January 1, 1992.

(c) This Section is repealed on July 1, 2002.

(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 2310/2310-315) (was 20 ILCS 2310/55.41)

Sec. 2310-315. Prevention and treatment of AIDS. To perform the following in relation to the prevention and treatment of acquired immunodeficiency syndrome (AIDS):

(1) Establish a State AIDS Control Unit within the Department as a separate administrative subdivision, to coordinate all State programs and services relating to the prevention, treatment, and amelioration of AIDS.

(2) Conduct a public information campaign for physicians, hospitals, health facilities, public health departments, law enforcement personnel, public employees, laboratories, and the general public on acquired immunodeficiency syndrome (AIDS) and promote necessary measures to reduce the incidence of AIDS and the mortality from AIDS. This program shall include, but not be limited to, the establishment of a statewide hotline and a State AIDS information clearinghouse that will provide periodic reports and releases to public officials, health professionals, community service organizations, and the general public regarding new developments or procedures concerning prevention and treatment of AIDS.

(3) Establish an AIDS Advisory Council consisting of 25 persons appointed by the Governor, including representation from public and private agencies, organizations, and facilities involved in AIDS research, prevention, and treatment, which shall advise the Department on the State AIDS Control Plan. The terms of the initial appointments shall be staggered so that 13 members are appointed for 2-year terms and 12 members are appointed for 4-year terms. All subsequent appointments shall be for 4-year terms. Members shall serve without compensation, but may be reimbursed for expenses incurred in relation to their duties on the Council. A Chairman and other officers that may be considered necessary shall be elected from among the members. Any vacancy shall be filled for the term of the original appointment. Members whose terms have expired may continue to serve until their successors are appointed.

(4) Establish alternative blood test services that are not operated by a blood bank, plasma center or hospital. The Department shall prescribe by rule minimum criteria, standards and procedures for the establishment and operation of such services, which shall include, but not be limited to requirements for the provision of information, counseling and referral services that ensure appropriate counseling and referral for persons whose blood is tested and shows evidence of exposure to the human immunodeficiency virus (HIV) or other identified causative agent of acquired immunodeficiency syndrome (AIDS).

(5) Establish regional and community service networks of public

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and private service providers or health care professionals who may be involved in AIDS research, prevention and treatment.

(6) Provide grants to individuals, organizations or facilities to support the following:

- (A) Information, referral, and treatment services.
- (B) Interdisciplinary workshops for professionals involved in research and treatment.
- (C) Establishment and operation of a statewide hotline.
- (D) Establishment and operation of alternative testing services.
- (E) Research into detection, prevention, and treatment.
- (F) Supplementation of other public and private resources.
- (G) Implementation by long-term care facilities of Department standards and procedures for the care and treatment of persons with AIDS and the development of adequate numbers and types of placements for those persons.

(7) ~~(Blank). Conduct a study and report to the Governor and the General Assembly by July 1, 1988, on the public and private costs of AIDS--medical treatment, including the availability and accessibility of inpatient, outpatient, physician, and community support services.~~

(8) Accept any gift, donation, bequest, or grant of funds from private or public agencies, including federal funds that may be provided for AIDS control efforts.

(9) Develop and implement, in consultation with the Long-Term Care Facility Advisory Board, standards and procedures for long-term care facilities that provide care and treatment of persons with AIDS, including appropriate infection control procedures. The Department shall work cooperatively with organizations representing those facilities to develop adequate numbers and types of placements for persons with AIDS and shall advise those facilities on proper implementation of its standards and procedures.

(10) The Department shall create and administer a training program for State employees who have a need for understanding matters relating to AIDS in order to deal with or advise the public. The training shall include information on the cause and effects of AIDS, the means of detecting it and preventing its transmission, the availability of related counseling and referral, and other matters that may be appropriate. The training may also be made available to employees of local governments, public service agencies, and private agencies that contract with the State; in those cases the Department may charge a reasonable fee to recover the cost of the training.

(11) Approve tests or testing procedures used in determining exposure to HIV or any other identified causative agent of AIDS.

(Source: P.A. 91-239, eff. 1-1-00.)

Section 40. The Disabled Persons Rehabilitation Act is amended by changing Section 3 as follows:

(20 ILCS 2405/3) (from Ch. 23, par. 3434)

Sec. 3. Powers and duties. The Department shall have the powers and duties enumerated herein:

(a) To co-operate with the federal government in the administration of the provisions of the federal Rehabilitation Act of 1973, as amended, of the Workforce Investment Act of 1998, and of the federal Social Security Act to the extent and in the manner provided in these Acts.

(b) To prescribe and supervise such courses of vocational training and provide such other services as may be necessary for the habilitation and rehabilitation of persons with one or more disabilities, including the administrative activities under subsection (e) of this Section, and to co-operate with State and local school authorities and other recognized agencies engaged in

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habilitation, rehabilitation and comprehensive rehabilitation services; and to cooperate with the Department of Children and Family Services regarding the care and education of children with one or more disabilities.

(c) ~~(Blank). To make such reports and submit such plans to the federal government as are required by the provisions of the federal Rehabilitation Act of 1973, as amended, and by the rules and regulations of the federal agency or agencies administering the federal Rehabilitation Act of 1973, as amended, the Workforce Investment Act of 1998, and the federal Social Security Act.~~

(d) To report in writing, to the Governor, annually on or before the first day of December, and at such other times and in such manner and upon such subjects as the Governor may require. The annual report shall contain (1) a statement of the existing condition of comprehensive rehabilitation services, habilitation and rehabilitation in the State; (2) a statement of suggestions and recommendations with reference to the development of comprehensive rehabilitation services, habilitation and rehabilitation in the State; and (3) an itemized statement of the amounts of money received from federal, State and other sources, and of the objects and purposes to which the respective items of these several amounts have been devoted.

(e) ~~(Blank). To exercise, pursuant to Section 13 of this Act, executive and administrative supervision over all institutions, divisions, programs and services now existing or hereafter acquired or created under the jurisdiction of the Department, including, but not limited to, the following:~~

~~The Illinois School for the Visually Impaired at Jacksonville, as provided under Section 10 of this Act,~~

~~The Illinois School for the Deaf at Jacksonville, as provided under Section 10 of this Act, and~~

~~The Illinois Center for Rehabilitation and Education, as provided under Section 11 of this Act.~~

(f) To establish a program of services to prevent unnecessary institutionalization of persons with Alzheimer's disease and related disorders or persons in need of long term care who are established as blind or disabled as defined by the Social Security Act, thereby enabling them to remain in their own homes or other living arrangements. Such preventive services may include, but are not limited to, any or all of the following:

- (1) home health services;
- (2) home nursing services;
- (3) homemaker services;
- (4) chore and housekeeping services;
- (5) day care services;
- (6) home-delivered meals;
- (7) education in self-care;
- (8) personal care services;
- (9) adult day health services;
- (10) habilitation services;
- (11) respite care; or
- (12) other nonmedical social services that may enable the

person to become self-supporting.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the population for whom they are to be provided. Such eligibility standards may be based on the recipient's ability to pay for services; provided, however, that any portion of a person's income that is equal to or less than the "protected income" level shall not be considered by the Department in determining eligibility.

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The "protected income" level shall be determined by the Department, shall never be less than the federal poverty standard, and shall be adjusted each year to reflect changes in the Consumer Price Index For All Urban Consumers as determined by the United States Department of Labor. Additionally, in determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

The services shall be provided to eligible persons to prevent unnecessary or premature institutionalization, to the extent that the cost of the services, together with the other personal maintenance expenses of the persons, are reasonably related to the standards established for care in a group facility appropriate to their condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Illinois Department on Aging.

Personal care attendants shall be paid:

- (i) A \$5 per hour minimum rate beginning July 1, 1995.
- (ii) A \$5.30 per hour minimum rate beginning July 1, 1997.
- (iii) A \$5.40 per hour minimum rate beginning July 1, 1998.

The Department shall execute, relative to the nursing home prescreening project, as authorized by Section 4.03 of the Illinois Act on the Aging, written inter-agency agreements with the Department on Aging and the Department of Public Aid, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 18 through 59 years of age shall be conducted by the Department.

The Department is authorized to establish a system of recipient cost-sharing for services provided under this Section. The cost-sharing shall be based upon the recipient's ability to pay for services, but in no case shall the recipient's share exceed the actual cost of the services provided. Protected income shall not be considered by the Department in its determination of the recipient's ability to pay a share of the cost of services. The level of cost-sharing shall be adjusted each year to reflect changes in the "protected income" level. The Department shall deduct from the recipient's share of the cost of services any money expended by the recipient for disability-related expenses.

The Department, or the Department's authorized representative, shall recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other

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creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Illinois Department of Public Aid, regardless of the value of the property.

The Department and the Department on Aging shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before March 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act.

(g) To establish such subdivisions of the Department as shall be desirable and assign to the various subdivisions the responsibilities and duties placed upon the Department by law.

(h) To cooperate and enter into any necessary agreements with the Department of Employment Security for the provision of job placement and job referral services to clients of the Department, including job service registration of such clients with Illinois Employment Security offices and making job listings maintained by the Department of Employment Security available to such clients.

(i) To possess all powers reasonable and necessary for the exercise and administration of the powers, duties and responsibilities of the Department which are provided for by law.

(j) To establish a procedure whereby new providers of personal care attendant services shall submit vouchers to the State for payment two times during their first month of employment and one time per month thereafter. In no case shall the Department pay personal care attendants an hourly wage that is less than the federal minimum wage.

(k) To provide adequate notice to providers of chore and housekeeping services informing them that they are entitled to an interest payment on bills which are not promptly paid pursuant to Section 3 of the State Prompt Payment Act.

(l) To establish, operate and maintain a Statewide Housing Clearinghouse of information on available, government subsidized housing accessible to disabled persons and available privately owned housing accessible to disabled persons. The information shall include but not be limited to the location, rental requirements, access features and proximity to public transportation of available housing. The Clearinghouse shall consist of at least a computerized database for the storage and retrieval of information and a separate or shared toll free telephone number for use by those seeking information from the Clearinghouse. Department offices and personnel throughout the State shall also assist in the operation of the

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Statewide Housing Clearinghouse. Cooperation with local, State and federal housing managers shall be sought and extended in order to frequently and promptly update the Clearinghouse's information.

(m) To assure that the names and case records of persons who received or are receiving services from the Department, including persons receiving vocational rehabilitation, home services, or other services, and those attending one of the Department's schools or other supervised facility shall be confidential and not be open to the general public. Those case records and reports or the information contained in those records and reports shall be disclosed by the Director only to proper law enforcement officials, individuals authorized by a court, the General Assembly or any committee or commission of the General Assembly, and other persons and for reasons as the Director designates by rule. Disclosure by the Director may be only in accordance with other applicable law.

(Source: P.A. 90-365, eff. 8-10-97; 91-540, eff. 8-13-99.)

Section 45. The Illinois Income Tax Act is amended by changing Sections 507, 507A, 507B, 507C, 507D, 507E, 507F, 507G, 507H, 507I, 507J, 507K, 507M, 507N, 507O, 507P, 507R, 507S, 507T, 509, and 510 as follows:

(35 ILCS 5/507) (from Ch. 120, par. 5-507)

Sec. 507. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Child Abuse Prevention Fund created by Section 4a of "An Act creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named", approved June 4, 1963, as amended, he or she may do so by stating the amount of such contribution (not less than \$1) on such return and that such contributions will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

If, on October 1 of any year, the total contributions made pursuant to this Section do not equal \$100,000 or more, the explanations and spaces for designating contributions shall be removed from the individual income tax return forms for the following and all subsequent years and all subsequent contributions to such fund shall be refunded to the taxpayer.

This Section is repealed on July 1, 2002.

(Source: P.A. 86-678.)

(35 ILCS 5/507A) (from Ch. 120, par. 5-507A)

Sec. 507A. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Community Health Center Care Fund created by this amendatory Act of 1989, he or she may do so by stating the amount of such contribution (not less than \$1) on such return and that such contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 86-996.)

(35 ILCS 5/507B) (from Ch. 120, par. 5-507B)

Sec. 507B. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Child Care Expansion Program Fund created by this amendatory Act of 1989, he or she may do so by stating the amount of such contribution (not less than \$1) on such return and that such contributions will reduce the taxpayer's refund or increase the

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amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 86-995.)

(35 ILCS 5/507C) (from Ch. 120, par. 5-507C)

Sec. 507C. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Youth Drug Abuse Prevention Fund as authorized by this amendatory Act of 1991, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 87-342.)

(35 ILCS 5/507D) (from Ch. 120, par. 5-507D)

Sec. 507D. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Ryan White AIDS Victims Assistance Fund, he or she may do so by stating the amount of such contribution (not less than \$1) on such return and that such contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 87-342.)

(35 ILCS 5/507E) (from Ch. 120, par. 5-507E)

Sec. 507E. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Assistive Technology for Persons with Disabilities Fund created by this amendatory Act of 1991, he or she may do so by stating the amount of that contribution, which may not be less than \$1, on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment required to accompany the return. Failure to remit the appropriate increase in the payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 87-342.)

(35 ILCS 5/507F) (from Ch. 120, par. 5-507F)

Sec. 507F. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Domestic Violence Shelter and Service Fund, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 87-342.)

(35 ILCS 5/507G) (from Ch. 120, par. 5-507G)

Sec. 507G. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the United States Olympians Assistance Fund created by this amendatory Act of 1991, he or she may do so by stating the amount of such contribution (not less than \$1) on such return and

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that such contributions will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 87-342.)

(35 ILCS 5/507H) (from Ch. 120, par. 5-507H)

Sec. 507H. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Persian Gulf Conflict Veterans Fund, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contributions will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 87-119; 87-895.)

(35 ILCS 5/507I) (from Ch. 120, par. 5-507I)

Sec. 507I. Literacy Advancement Checkoff. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Literacy Advancement Fund created by this amendatory Act of 1992, he or she may do so by stating the amount of that contribution, which may not be less than \$1, on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment required to accompany the return. Failure to remit the appropriate increase in the payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 87-992.)

(35 ILCS 5/507J)

Sec. 507J. Ryan White Pediatric and Adult AIDS Fund checkoff. Beginning with taxable years ending on December 31, 1993, the Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Ryan White Pediatric and Adult AIDS Fund, as authorized by this amendatory Act of 1993, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to any amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 88-459.)

(35 ILCS 5/507K)

Sec. 507K. Illinois Special Olympics Checkoff. Beginning with taxable years ending on December 31, 1993, the Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Illinois Special Olympics Checkoff Fund as authorized by this amendatory Act of 1993, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 88-459.)

(35 ILCS 5/507M)

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Sec. 507M. Meals on Wheels Fund checkoff. If and only if a tax checkoff under this Act administered by the Department on Aging does not receive \$100,000 by October 1, 1993, then beginning with taxable years ending on December 31, 1993, the Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Meals on Wheels Checkoff Fund as authorized by this amendatory Act of 1993, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to an amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 88-459.)

(35 ILCS 5/507N)

Sec. 507N. Korean War Memorial Fund checkoff. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Korean War Memorial Fund, as authorized by this amendatory Act of 1994, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to any amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 88-666, eff. 9-16-94.)

(35 ILCS 5/507O)

Sec. 507O. Heart Disease Treatment and Prevention Fund checkoff. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Heart Disease Treatment and Prevention Fund, as authorized by this amendatory Act of 1994, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to any amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 88-666, eff. 9-16-94.)

(35 ILCS 5/507P)

Sec. 507P. Hemophilia Treatment Fund checkoff. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Hemophilia Treatment Fund, as authorized by this amendatory Act of 1994, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to any amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 88-666, eff. 9-16-94.)

(35 ILCS 5/507R)

Sec. 507R. Mental Health Research Fund checkoff. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Mental Health Research Fund, as authorized by this amendatory Act of 1997, he or she may do so by stating the amount of the contribution (not

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less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to any amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 90-171, eff. 7-23-97.)

(35 ILCS 5/507S)

Sec. 507S. Children's Cancer Fund checkoff. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Children's Cancer Fund, as authorized by this amendatory Act of 1997, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to any amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 90-171, eff. 7-23-97.)

(35 ILCS 5/507T)

Sec. 507T. The American Diabetes Association checkoff. The Department shall print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the American Diabetes Association Fund, as authorized by this amendatory Act of 1997, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section shall not apply to any amended return.

This Section is repealed on July 1, 2002.

(Source: P.A. 90-171, eff. 7-23-97.)

(35 ILCS 5/509) (from Ch. 120, par. 5-509)

Sec. 509. Tax checkoff explanations. All individual income tax return forms shall contain appropriate explanations and spaces to enable the taxpayers to designate contributions to the Child Abuse Prevention Fund, ~~to the Community Health Center Care Fund,~~ to the Illinois Wildlife Preservation Fund as required by the Illinois Non-Game Wildlife Protection Act, to the Alzheimer's Disease Research Fund as required by the Alzheimer's Disease Research Act, to the Assistance to the Homeless Fund as required by this Act, ~~to the Heritage Preservation Fund as required by the Heritage Preservation Act, to the Child Care Expansion Program Fund as required by the Child Care Expansion Program Act, to the Ryan White AIDS Victims Assistance Fund, to the Assistive Technology for Persons with Disabilities Fund, to the Domestic Violence Shelter and Service Fund, to the United States Olympians Assistance Fund, to the Youth Drug Abuse Prevention Fund, to the Persian Gulf Conflict Veterans Fund, to the Literacy Advancement Fund, to the Ryan White Pediatric and Adult AIDS Fund, to the Illinois Special Olympics Checkoff Fund,~~ to the Penny Severn Breast and Cervical Cancer Research Fund, ~~to the Korean War Memorial Fund, to the Heart Disease Treatment and Prevention Fund, to the Hemophilia Treatment Fund, to the Mental Health Research Fund, to the Children's Cancer Fund, to the American Diabetes Association Fund,~~ to the National World War II Memorial Fund, and to the Prostate Cancer Research Fund, ~~and to the Meals on Wheels Fund.~~ Each form shall contain a statement that the contributions will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased

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payment shall reduce the contribution accordingly.

If, on October 1 of any year, the total contributions to any one of the funds made under this Section do not equal \$100,000 or more, the explanations and spaces for designating contributions to the fund shall be removed from the individual income tax return forms for the following and all subsequent years and all subsequent contributions to the fund shall be refunded to the taxpayer.

(Source: P.A. 90-171, eff. 7-23-97; 91-104, eff. 7-13-99; 91-107, eff. 7-13-99; 91-357, eff. 7-29-99; 91-833, eff. 1-1-01; 91-836, eff. 1-1-01.)

(35 ILCS 5/510) (from Ch. 120, par. 5-510)

Sec. 510. Determination of amounts contributed. The Department shall determine the total amount contributed to each of the following: the Child Abuse Prevention Fund, the Illinois Wildlife Preservation Fund, the ~~Community Health Center Care Fund~~, the Assistance to the Homeless Fund, the Alzheimer's Disease Research Fund, the ~~Heritage Preservation Fund~~, the ~~Child Care Expansion Program Fund~~, the ~~Ryan White AIDS Victims Assistance Fund~~, the ~~Assistive Technology for Persons with Disabilities Fund~~, the ~~Domestic Violence Shelter and Service Fund~~, the ~~United States Olympians Assistance Fund~~, the ~~Youth Drug Abuse Prevention Fund~~, the ~~Persian Gulf Conflict Veterans Fund~~, the ~~Literacy Advancement Fund~~, the ~~Ryan White Pediatric and Adult AIDS Fund~~, the ~~Illinois Special Olympics Cheekoff Fund~~, the Penny Severns Breast and Cervical Cancer Research Fund, the ~~Korean War Memorial Fund~~, the ~~Heart Disease Treatment and Prevention Fund~~, the ~~Hemophilia Treatment Fund~~, the ~~Mental Health Research Fund~~, the ~~Children's Cancer Fund~~, the ~~American Diabetes Association Fund~~, the National World War II Memorial Fund, and the Prostate Cancer Research Fund, ~~and the Meals on Wheels Fund~~; and shall notify the State Comptroller and the State Treasurer of the amounts to be transferred from the General Revenue Fund to each fund, and upon receipt of such notification the State Treasurer and Comptroller shall transfer the amounts.

(Source: P.A. 90-171, eff. 7-23-97; 91-104, eff. 7-13-99; 91-107, eff. 7-13-99; 91-833, eff. 1-1-01; 91-836, eff. 1-1-01.)

Section 50. The Peace Officer Firearm Training Act is amended by changing Section 3 as follows:

(50 ILCS 710/3) (from Ch. 85, par. 517)

Sec. 3. The Board is charged with enforcing this Act and making inspections to insure compliance with its provisions, and is empowered to promulgate rules necessary for its administration and enforcement. All units of government or other agencies which employ or utilize peace officers shall cooperate with the Board by furnishing relevant information which the Board may require. The Executive Director of the Board shall report annually, no later than February 1, to the Board, with copies to the Governor and the General Assembly. The Board shall, in its annual report required by "The Civil Administrative Code of Illinois", indicate the results of these inspections and provide other related information and recommendations as it deems proper.

(Source: P.A. 79-652.)

Section 55. The Tanning Facility Permit Act is amended by changing Section 83 as follows:

(210 ILCS 145/83) (from Ch. 111 1/2, par. 8351-83)

Sec. 83. Tanning Facility Permit Fund. There is hereby created in the State Treasury a special fund to be known as the Tanning Facility Permit Fund. All fees and fines collected by the Department under this Act and any agreement for the implementation of this Act and rules under Section 40(b) and any federal funds collected pursuant to the administration of this Act shall be deposited into

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the Fund. The amount deposited collected--as--fees shall be appropriated by the General Assembly to the Department for the purpose of conducting activities relating to tanning facilities. (Source: P.A. 87-636; 87-1056.)

Section 60. The Veterinary Medicine and Surgery Practice Act of 1994 is amended by changing Sections 15 and 16 as follows:

(225 ILCS 115/15) (from Ch. 111, par. 7015)

Sec. 15. Expiration and renewal of license. The expiration date and renewal period for each license or certificate shall be set by rule. A veterinarian or veterinary technician whose license or certificate has expired may reinstate his or her license or certificate at any time within 5 years after the expiration thereof, by making a renewal application and by paying the required fee and submitting proof of the required continuing education. However, any veterinarian or veterinary technician whose license or certificate expired while he or she was (1) on active duty with the Armed Forces of the United States or called into service or training by the State militia or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his license or certificate renewed, reinstated, or restored without paying any lapsed renewal fees if within 2 years after termination of the service, training, or education the veterinarian furnishes the Department with satisfactory evidence of service, training, or education and it has been terminated under honorable conditions.

Any veterinarian or veterinary technician whose license or certificate has expired for more than 5 years may have it restored by making application to the Department and filing acceptable proof of fitness to have the license or certificate restored. The proof may include sworn evidence certifying active practice in another jurisdiction. The veterinarian or veterinary technician shall also pay the required restoration fee and submit proof of the required continuing education. If the veterinarian has not practiced for 5 years or more, the Board shall determine by an evaluation program established by rule, whether the individual is fit to resume active status and may require the veterinarian to complete a period of evaluated clinical experience and may require successful completion of a clinical examination.

(Source: P.A. 88-424.)

(225 ILCS 115/16) (from Ch. 111, par. 7016)

Sec. 16. Continuing education. Proof of having met the minimum requirements of continuing education as determined by the Board shall be required of all license and certificate renewals and restorations. Pursuant to rule, the continuing education requirements may upon petition be waived in whole or in part if the veterinarian or veterinary technician can demonstrate that he or she had served in the Coast Guard or Armed Forces, had an extreme hardship or obtained such license or certification by examination or endorsement within the preceding renewal period.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by registrants; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

(Source: P.A. 87-546; 88-424.)

Section 65. The Illinois Public Aid Code is amended by changing Sections 5-2.1, 10-20, 10-21, and 12-4.20a as follows:

(305 ILCS 5/5-2.1) (from Ch. 23, par. 5-2.1)

Sec. 5-2.1. Property transfers.

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(a) To the extent required under federal law, a person shall not make or have made a voluntary or involuntary assignment or transfer of any legal or equitable interests in real property or in personal property, whether vested, contingent or inchoate, for less than fair market value. A person's interest in real or personal property includes all income and assets to which the person is entitled or to which the person would be entitled if the person had not taken action to avoid receiving the interest.

(b) (Blank).

(c) (Blank).

(d) (Blank).

(e) ~~(Blank). The Auditor General shall conduct a program audit of the Illinois Department's enforcement of this Section. The Auditor General's report of the audit shall be filed with the Legislative Audit Commission, the Governor, and the General Assembly. The need for any subsequent reaudit shall be determined by the Legislative Audit Commission. Each audit report shall include the Auditor General's findings and recommendations concerning the need for changes in the law concerning property transfers.~~

(Source: P.A. 88-554, eff. 7-26-94; 89-21, eff. 7-1-95.)

(305 ILCS 5/10-20) (from Ch. 23, par. 10-20)

Sec. 10-20. The Illinois Department may provide by rule for the establishment of a child support enforcement amnesty program for responsible relatives who owe support under this Article, to the extent permitted by federal law and regulation. The rule shall provide for the suspending of specified enforcement actions, the duration of the suspension period or periods, the action the responsible relative must take to avoid future enforcement action, and the announcement of the program.

This Section is repealed on July 1, 2002.

(Source: P.A. 85-114; 85-115.)

(305 ILCS 5/10-21) (from Ch. 23, par. 10-21)

Sec. 10-21. The Illinois Department may provide by rule for the imposition of a one-time charge of 20% of the amount of past-due child support owed on July 1, 1988, by responsible relatives of persons receiving support services under this Article X, which has accrued under a support order entered by a court or administrative body of this or any other State, on behalf of resident or non-resident persons. The rule shall provide for notice to, and an opportunity to be heard by, the responsible relative affected and any final administrative decision rendered by the Department shall be reviewed only under and in accordance with the Administrative Review Law. No action to impose the charge shall be commenced after June 30, 1993. Action under this Section shall be subject to the limitations of Section 10-20 of this Code.

This Section is repealed on July 1, 2002.

(Source: P.A. 85-114.)

(305 ILCS 5/12-4.20a) (from Ch. 23, par. 12-4.20a)

Sec. 12-4.20a. Appointment of Executive Task Force on Nursing Homes. Appoint the Executive Task Force on Nursing Homes, to be composed of members of the General Assembly and representatives of State agencies, local governmental units, nursing home facilities, nursing home residents and the general public as deemed appropriate by the Director. The Task Force shall conduct a study of the delivery of nursing home care in this State and make to the Director such recommendations as it deems necessary concerning rates charged for nursing home care, reimbursements to nursing homes from State funds (including, specifically, capitation rates for payments to nursing homes under this Code), peer review of delivery of services, and quality of care assurance. No later than January 1, 1988, the

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Director shall report the recommendations of the Task Force to the General Assembly, together with any other information or recommendations (including recommendations for legislation) deemed appropriate by the Director.

This Section is repealed on July 1, 2002.

(Source: P.A. 85-539.)

Section 70. The Elder Abuse Demonstration Project Act is amended by adding Section 10.1 as follows:

(320 ILCS 15/10.1 new)

Sec. 10.1. Repeal. This Act is repealed on July 1, 2002.

Section 75. The Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act is amended by changing Section 9.1 as follows:

(320 ILCS 25/9.1) (from Ch. 67 1/2, par. 409.1)

Sec. 9.1. Report by Department of Revenue. The Department of Revenue shall, on or before January 1, 1990, report to the General Assembly on alternative methods, including recommendations for legislation, for integrating the provisions for pharmaceutical assistance under this Act with the provisions concerning payment for prescription drugs under the federal Medicare Catastrophic Coverage Act of 1988. The recommendations shall be made in view of the goal of enabling Illinois residents who are eligible for Medicare benefits under Title XVIII of the Social Security Act to meet the deductible and co-insurance requirements of the Medicare Catastrophic Coverage Act of 1988.

This Section is repealed on July 1, 2002.

(Source: P.A. 86-243.)

Section 80. The AIDS Registry Act is amended by changing Sections 3 and 4 as follows:

(410 ILCS 310/3) (from Ch. 111 1/2, par. 7353)

Sec. 3. For the purposes of this Act, unless the context requires otherwise:

(a) "AIDS" means acquired immunodeficiency syndrome, as defined by the Centers for Disease Control or the National Institutes of Health.

(b) ~~(Blank). "ARC" means AIDS-related complex, as defined by the Centers for Disease Control or the National Institutes of Health.~~

(c) "Department" means the Illinois Department of Public Health.

(d) "Director" means the Director of Public Health.

(Source: P.A. 85-1248.)

(410 ILCS 310/4) (from Ch. 111 1/2, par. 7354)

Sec. 4. (a) The Department shall establish and maintain an AIDS Registry consisting of a record of cases of AIDS and-ARE which occur in Illinois, and such information concerning those cases as it deems necessary or appropriate in order to conduct thorough and complete epidemiological surveys of AIDS and-ARE in Illinois, and to evaluate existing control and prevention measures. Cases included in the Registry shall be identified by a code rather than by name. To the extent feasible, the Registry shall be compatible with other national models so as to facilitate the coordination of information with other data bases.

(b) To facilitate the collection of information relating to cases of AIDS and-ARE, the Department shall have the authority to require hospitals, laboratories and other facilities which diagnose such conditions to report cases of AIDS and-ARE to the Department, and to require the submission of such other information pertaining to or in connection with such reported cases as the Department deems necessary or appropriate for the purposes of this Act. The Department may promulgate rules or regulations specifying the types of information required, requirements for follow up of patients,

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frequency of reporting, methods of submitting such information and any other details deemed by the Department to be necessary or appropriate for the administration of this Act. Nothing in this Act shall be construed to compel any individual to submit to a medical examination or supervision.

(c) The Director shall by rule establish standards for ensuring the protection of information made confidential or privileged under law.

(Source: P.A. 85-929.)

Section 999. Effective date. This Act takes effect on July 1, 2002."

Senator Watson offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 1151, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, by deleting lines 2 through 6.

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2, were ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Hawkinson, Senate Bill No. 1233 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hawkinson, Senate Bill No. 1235 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator O'Malley, Senate Bill No. 1305 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1305 as follows:
by replacing everything after the enacting clause with the following:
"Section 5. The Adoption Act is amended by changing Section 1 as follows:

(750 ILCS 50/1) (from Ch. 40, par. 1501)

Sec. 1. Definitions. When used in this Act, unless the context otherwise requires:

A. "Child" means a person under legal age subject to adoption under this Act.

B. "Related child" means a child subject to adoption where either or both of the adopting parents stands in any of the following relationships to the child by blood or marriage: parent, grand-parent, brother, sister, step-parent, step-grandparent, step-brother, step-sister, uncle, aunt, great-uncle, great-aunt, or cousin of first degree. A child whose parent has executed a final irrevocable consent to adoption or a final irrevocable surrender for purposes of adoption, or whose parent has had his or her parental rights terminated, is not a related child to that person, unless the consent is determined to be void or is void pursuant to subsection O of Section 10.

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C. "Agency" for the purpose of this Act means a public child welfare agency or a licensed child welfare agency.

D. "Unfit person" means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following:

- (a) Abandonment of the child.
 - (a-1) Abandonment of a newborn infant in a hospital.
 - (a-2) Abandonment of a newborn infant in any setting where the evidence suggests that the parent intended to relinquish his or her parental rights.
 - (b) Failure to maintain a reasonable degree of interest, concern or responsibility as to the child's welfare.
 - (c) Desertion of the child for more than 3 months next preceding the commencement of the Adoption proceeding.
 - (d) Substantial neglect of the child if continuous or repeated.
 - (d-1) Substantial neglect, if continuous or repeated, of any child residing in the household which resulted in the death of that child.
 - (e) Extreme or repeated cruelty to the child.
 - (f) Two or more findings of physical abuse to any children under Section 4-8 of the Juvenile Court Act or Section 2-21 of the Juvenile Court Act of 1987, the most recent of which was determined by the juvenile court hearing the matter to be supported by clear and convincing evidence; a criminal conviction or a finding of not guilty by reason of insanity resulting from the death of any child by physical child abuse; or a finding of physical child abuse resulting from the death of any child under Section 4-8 of the Juvenile Court Act or Section 2-21 of the Juvenile Court Act of 1987.
 - (g) Failure to protect the child from conditions within his environment injurious to the child's welfare.
 - (h) Other neglect of, or misconduct toward the child; provided that in making a finding of unfitness the court hearing the adoption proceeding shall not be bound by any previous finding, order or judgment affecting or determining the rights of the parents toward the child sought to be adopted in any other proceeding except such proceedings terminating parental rights as shall be had under either this Act, the Juvenile Court Act or the Juvenile Court Act of 1987.
 - (i) Depravity. Conviction of any one of the following crimes shall create a presumption that a parent is depraved which can be overcome only by clear and convincing evidence: (1) first degree murder in violation of paragraph 1 or 2 of subsection (a) of Section 9-1 of the Criminal Code of 1961 or conviction of second degree murder in violation of subsection (a) of Section 9-2 of the Criminal Code of 1961 of a parent of the child to be adopted; (2) first degree murder or second degree murder of any child in violation of the Criminal Code of 1961; (3) attempt or conspiracy to commit first degree murder or second degree murder of any child in violation of the Criminal Code of 1961; (4) solicitation to commit murder of any child, solicitation to commit murder of any child for hire, or solicitation to commit second degree murder of any child in violation of the Criminal Code of 1961; or (5) aggravated criminal sexual assault in violation of Section 12-14(b)(1) of the Criminal Code of 1961.
- There is a rebuttable presumption that a parent is depraved if the parent has been criminally convicted of at least 3 felonies under the laws of this State or any other state, or

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under federal law, or the criminal laws of any United States territory; and at least one of these convictions took place within 5 years of the filing of the petition or motion seeking termination of parental rights.

There is a rebuttable presumption that a parent is deprived if that parent has been criminally convicted of either first or second degree murder of any person as defined in the Criminal Code of 1961 within 10 years of the filing date of the petition or motion to terminate parental rights.

(j) Open and notorious adultery or fornication.

(j-1) (Blank).

(k) Habitual drunkenness or addiction to drugs, other than those prescribed by a physician, for at least one year immediately prior to the commencement of the unfitness proceeding.

There is a rebuttable presumption that a parent is unfit under this subsection with respect to any child to which that parent gives birth where there is a confirmed test result that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or metabolites of such substances, the presence of which in the newborn infant was not the result of medical treatment administered to the mother or the newborn infant; and the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987.

(l) Failure to demonstrate a reasonable degree of interest, concern or responsibility as to the welfare of a new born child during the first 30 days after its birth.

(m) Failure by a parent (i) to make reasonable efforts to correct the conditions that were the basis for the removal of the child from the parent, or (ii) to make reasonable progress toward the return of the child to the parent within 9 months after an adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act, or (iii) to make reasonable progress toward the return of the child to the parent during any 9-month period after the end of the initial 9-month period following the adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act. If a service plan has been established as required under Section 8.2 of the Abused and Neglected Child Reporting Act to correct the conditions that were the basis for the removal of the child from the parent and if those services were available, then, for purposes of this Act, "failure to make reasonable progress toward the return of the child to the parent" includes (I) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care within 9 months after the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987 and (II) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care during any 9-month period after the end of the initial 9-month period following the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987.

(m-1) Pursuant to the Juvenile Court Act of 1987, a child has been in foster care for 15 months out of any 22 month period which begins on or after the effective date of this amendatory Act of 1998 unless the child's parent can prove by a

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preponderance of the evidence that it is more likely than not that it will be in the best interests of the child to be returned to the parent within 6 months of the date on which a petition for termination of parental rights is filed under the Juvenile Court Act of 1987. The 15 month time limit is tolled during any period for which there is a court finding that the appointed custodian or guardian failed to make reasonable efforts to reunify the child with his or her family, provided that (i) the finding of no reasonable efforts is made within 60 days of the period when reasonable efforts were not made or (ii) the parent filed a motion requesting a finding of no reasonable efforts within 60 days of the period when reasonable efforts were not made. For purposes of this subdivision (m-1), the date of entering foster care is the earlier of: (i) the date of a judicial finding at an adjudicatory hearing that the child is an abused, neglected, or dependent minor; or (ii) 60 days after the date on which the child is removed from his or her parent, guardian, or legal custodian.

(n) Evidence of intent to forgo his or her parental rights, whether or not the child is a ward of the court, (1) as manifested by his or her failure for a period of 12 months: (i) to visit the child, (ii) to communicate with the child or agency, although able to do so and not prevented from doing so by an agency or by court order, or (iii) to maintain contact with or plan for the future of the child, although physically able to do so, or (2) as manifested by the father's failure, where he and the mother of the child were unmarried to each other at the time of the child's birth, (i) to commence legal proceedings to establish his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within 30 days of being informed, pursuant to Section 12a of this Act, that he is the father or the likely father of the child or, after being so informed where the child is not yet born, within 30 days of the child's birth, or (ii) to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances, including the financial condition of both parents; provided that the ground for termination provided in this subparagraph (n)(2)(ii) shall only be available where the petition is brought by the mother or the husband of the mother.

Contact or communication by a parent with his or her child that does not demonstrate affection and concern does not constitute reasonable contact and planning under subdivision (n). In the absence of evidence to the contrary, the ability to visit, communicate, maintain contact, pay expenses and plan for the future shall be presumed. The subjective intent of the parent, whether expressed or otherwise, unsupported by evidence of the foregoing parental acts manifesting that intent, shall not preclude a determination that the parent has intended to forgo his or her parental rights. In making this determination, the court may consider but shall not require a showing of diligent efforts by an authorized agency to encourage the parent to perform the acts specified in subdivision (n).

It shall be an affirmative defense to any allegation under paragraph (2) of this subsection that the father's failure was due to circumstances beyond his control or to impediments created by the mother or any other person having legal custody. Proof of that fact need only be by a preponderance of the evidence.

(o) Repeated or continuous failure by the parents, although

physically and financially able, to provide the child with adequate food, clothing, or shelter.

(p) Inability to discharge parental responsibilities supported by competent evidence from a psychiatrist, licensed clinical social worker, or clinical psychologist of mental impairment, mental illness or mental retardation as defined in Section 1-116 of the Mental Health and Developmental Disabilities Code, or developmental disability as defined in Section 1-106 of that Code, and there is sufficient justification to believe that the inability to discharge parental responsibilities shall extend beyond a reasonable time period. However, this subdivision (p) shall not be construed so as to permit a licensed clinical social worker to conduct any medical diagnosis to determine mental illness or mental impairment.

(q) The parent has been criminally convicted of aggravated battery, heinous battery, or attempted murder of any child.

(r) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated as a result of criminal conviction at the time the petition or motion for termination of parental rights is filed, prior to incarceration the parent had little or no contact with the child or provided little or no support for the child, and the parent's incarceration will prevent the parent from discharging his or her parental responsibilities for the child for a period in excess of 2 years after the filing of the petition or motion for termination of parental rights.

(s) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated at the time the petition or motion for termination of parental rights is filed, the parent has been repeatedly incarcerated as a result of criminal convictions, and the parent's repeated incarceration has prevented the parent from discharging his or her parental responsibilities for the child.

(t) A finding that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act, or a metabolite of a controlled substance, with the exception of controlled substances or metabolites of such substances, the presence of which in the newborn infant was the result of medical treatment administered to the mother or the newborn infant, and that the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987, after which the biological mother had the opportunity to enroll in and participate in a clinically appropriate substance abuse counseling, treatment, and rehabilitation program.

E. "Parent" means the father or mother of a legitimate or illegitimate child. For the purpose of this Act, a person who has executed a final and irrevocable consent to adoption or a final and irrevocable surrender for purposes of adoption, or whose parental rights have been terminated by a court, is not a parent of the child who was the subject of the consent or surrender, unless the consent is void pursuant to subsection O of Section 10.

F. A person is available for adoption when the person is:

(a) a child who has been surrendered for adoption to an agency and to whose adoption the agency has thereafter consented;

(b) a child to whose adoption a person authorized by law, other than his parents, has consented, or to whose adoption no consent is required pursuant to Section 8 of this Act;

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(c) a child who is in the custody of persons who intend to adopt him through placement made by his parents;

(c-1) a child for whom a parent has signed a specific consent pursuant to subsection O of Section 10; or

(d) an adult who meets the conditions set forth in Section 3 of this Act.

A person who would otherwise be available for adoption shall not be deemed unavailable for adoption solely by reason of his or her death.

G. The singular includes the plural and the plural includes the singular and the "male" includes the "female", as the context of this Act may require.

H. "Adoption disruption" occurs when an adoptive placement does not prove successful and it becomes necessary for the child to be removed from placement before the adoption is finalized.

I. "Foreign placing agency" is an agency or individual operating in a country or territory outside the United States that is authorized by its country to place children for adoption either directly with families in the United States or through United States based international agencies.

J. "Immediate relatives" means the biological parents, the parents of the biological parents and siblings of the biological parents.

K. "Intercountry adoption" is a process by which a child from a country other than the United States is adopted.

L. "Intercountry Adoption Coordinator" is a staff person of the Department of Children and Family Services appointed by the Director to coordinate the provision of services by the public and private sector to prospective parents of foreign-born children.

M. "Interstate Compact on the Placement of Children" is a law enacted by most states for the purpose of establishing uniform procedures for handling the interstate placement of children in foster homes, adoptive homes, or other child care facilities.

N. "Non-Compact state" means a state that has not enacted the Interstate Compact on the Placement of Children.

O. "Preadoption requirements" are any conditions established by the laws or regulations of the Federal Government or of each state that must be met prior to the placement of a child in an adoptive home.

P. "Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

(a) inflicts, causes to be inflicted, or allows to be inflicted upon the child physical injury, by other than accidental means, that causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(b) creates a substantial risk of physical injury to the child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(c) commits or allows to be committed any sex offense against the child, as sex offenses are defined in the Criminal Code of 1961 and extending those definitions of sex offenses to include children under 18 years of age;

(d) commits or allows to be committed an act or acts of torture upon the child; or

(e) inflicts excessive corporal punishment.

Q. "Neglected child" means any child whose parent or other

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person responsible for the child's welfare withholds or denies nourishment or medically indicated treatment including food or care denied solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a child's well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare.

A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of the Abused and Neglected Child Reporting Act. A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for the child's welfare failed to vaccinate, delayed vaccination, or refused vaccination for the child whether due to a waiver on religious or medical grounds as permitted by the law or otherwise.

R. "Putative father" means a man who may be a child's father, but who (1) is not married to the child's mother on or before the date that the child was or is to be born and (2) has not established paternity of the child in a court proceeding before the filing of a petition for the adoption of the child. The term includes a male who is less than 18 years of age. "Putative father" does not mean a man who is the child's father as a result of criminal sexual abuse or assault as defined under Article 12 of the Criminal Code of 1961.

S. "Standby adoption" means an adoption in which a terminally ill parent consents to custody and termination of parental rights to become effective upon the occurrence of a future event, which is either the death of the terminally ill parent or the request of the parent for the entry of a final judgment of adoption.

T. "Terminally ill parent" means a person who has a medical prognosis by a physician licensed to practice medicine in all of its branches that the person has an incurable and irreversible condition which will lead to death.

(Source: P.A. 90-13, eff. 6-13-97; 90-15, eff. 6-13-97; 90-27, eff. 1-1-98 except subdiv. (D)(m) eff. 6-25-97; 90-28, eff. 1-1-98 except subdiv. (D)(m) eff. 6-25-97; 90-443, eff. 8-16-97; 90-608, eff. 6-30-98; 90-655, eff. 7-30-98; 91-357, eff. 7-29-99; 91-373, eff. 1-1-00; 91-572, eff. 1-1-00; revised 8-31-99.)".

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator R. Madigan, Senate Bill No. 1340 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Insurance and Pensions, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1340 on page 1 by deleting lines 11 through 28; and by deleting all of pages 2 through 10.

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a

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third reading.

On motion of Senator Weaver, Senate Bill No. 778 having been printed, was taken up and read by title a second time.

Senator Weaver offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 778 on page 5, line 20 by replacing "items in" with "in items"; and
on page 16, line 16, after "that" by inserting "has"; and
on page 16, line 20, by replacing "objects" with "objectives"; and
on page 16, by inserting the following immediately after line 31:

"(3) An organization that is exempt from taxation under Section 501(c)(3) or Section 501(c)(4) of the federal Internal Revenue Code that currently holds a bingo license under the Bingo License and Tax Act on the effective date of this amendatory Act of the 92nd General Assembly, provided that the organization's license has remained continuously in effect and the organization is not in violation of this Act."; and

on page 25, line 5, by replacing "games" with "game"; and
on page 27, line 2, after "Vegas" by inserting "Nights"; and
on page 27, by inserting the following immediately after line 15:

"Section 10-20. Prior license.

(a) A person who held a license to conduct bingo games under the Bingo License and Tax Act on the effective date of this amendatory Act of the 92nd General Assembly may continue to conduct games for which he or she was licensed on that effective date for as long as that license remains in effect if (i) his or her licensed games were exempt from taxation under Section 501(c)(3) or Section 501(c)(4) of the federal Internal Revenue Code and (ii) he or she has not violated any of the provisions of this Act.

(b) The provisions of the Bingo License and Tax Act shall remain in full force and effect with respect to any person who is authorized to conduct bingo games pursuant to this Section for as long as that person is authorized to conduct those games pursuant to this Section."; and

on page 50, line 1, by replacing "tickets" with "ticket"; and
on page 50, line 17, after "employee" by inserting ","; and
on page 57, line 7, by replacing ".05" with "0.05"; and
on page 57, line 8, by replacing ".05" with "0.05"; and
on page 57, line 9, by replacing ".05" with "0.05"; and
on page 57, line 9, by replacing "On" with "Except as provided in Section 10-20 of the Omnibus Charitable Gaming Act, on"; and
on page 57, line 17, by replacing ".05" with "0.05"; and
on page 57, line 18, by replacing ".05" with "0.05"; and
on page 57, line 19, by replacing ".05" with "0.05".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

SENATE BILLS RECALLED

On motion of Senator O'Malley, Senate Bill No. 150 was recalled from the order of third reading to the order of second reading.

Senator O'Malley offered the following amendment and moved its

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adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 150 on page 1, line 9, by replacing "Chicagoland" with "Northeastern Illinois"; and on page 1, line 24, by replacing "Chicagoland" with "Northeastern Illinois".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of second reading.

On motion of Senator Rauschenberger, Senate Bill No. 164 was recalled from the order of third reading to the order of second reading.

Senator Rauschenberger offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 164, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, by replacing lines 21 and 22 with the following:

"(e) "Sales Tax" means the tax levied under the Service Occupation Tax Act (35 ILCS 115/) and the Retailers' Occupation Tax Act (35 ILCS 120/). "Sales tax" also means any local sales tax levied under the Home Rule Municipal Retailers' Occupation Tax Act (65 ILCS 5/8-11-1), the Non-Home Rule Municipal Retailers' Occupation Tax Act (65 ILCS 5/8-11-1.3), the Non-Home Rule Municipal Service Occupation Tax Act (65 ILCS 5/8-11-1.4), the Home Rule Municipal Service Occupation Tax (65 ILCS 5/8-11-5), the Home Rule County Retailers' Occupation Tax Law (55 ILCS 5/5-1006), the Special County Occupation Tax for Public Safety Law (55 ILCS 5/5-1006.5), the Home Rule County Service Occupation Tax Law (55 ILCS 5/5-1007), subsection (b) of the Rock Island County Use and Occupation Tax Law (55 ILCS 5/5-1008.5(b)), the Metro East Mass Transit District Retailers' Occupation Tax (70 ILCS 3610/5.01(b)), the Metro East Mass Transit District Service Occupation Tax (70 ILCS 3610/5.01(c)), the Regional Transportation Authority Retailers' Occupation Tax (70 ILCS 3615/4.03(e)), the Regional Transportation Authority Service Occupation Tax (70 ILCS 3615/4.03(f)), the County Water Commission Retailers' Occupation Tax (70 ILCS 3720/4(b)), or the County Water Commission Service Occupation Tax (70 ILCS 3720/4(c))."; and on page 2, by replacing lines 1 and 2 with the following:

"(f) "Seller" means any person making sales of personal property or services."; and

on page 2, by replacing lines 5 and 6 with the following:

"(h) "Use tax" means the tax levied under the Use Tax Act (35 ILCS 105/) and the Service Use Tax Act (35 ILCS 110/). "Use tax" also means any local use tax levied under the Home Rule Municipal Use Tax Act (65 ILCS 5/8-11-6(b)), provided that the State and the municipality have entered into an agreement that provides for administration of the tax by the State."; and

on page 2, lines 8 and 14, after "sales", each time it appears, by inserting "tax"; and

on page 2, line 28, by replacing "The" with "Subject to Section 6, the"; and

on page 4, line 17, after "taxes", by inserting the following:

", as those terms are defined by each signatory state in the Act by

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which the state authorizes its entry into the Agreement,"; and
 on page 4, line 25, before the period, by inserting the following:
 "with regard to these taxes"; and

on page 5, immediately below line 20, by inserting the following:

"(j) Nothing in the Agreement shall require a signatory state to administer a tax levied by a local jurisdiction unless the tax is a sales tax or use tax as defined by the signatory state in the Act by which the state authorizes its entry into the Agreement."; and

on page 7, immediately below line 17, by inserting the following:

"Section 905. The Illinois Municipal Code is amended by changing Section 8-11-6 as follows:

(65 ILCS 5/8-11-6) (from Ch. 24, par. 8-11-6)

Sec. 8-11-6. Home Rule Municipal Use Tax Act.

(a) The corporate authorities of a home rule municipality may impose a tax upon the privilege of using, in such municipality, any item of tangible personal property which is purchased at retail from a retailer, and which is titled or registered at a location within the corporate limits of such home rule municipality with an agency of this State's government, at a rate which is an increment of 1/4% and based on the selling price of such tangible personal property, as "selling price" is defined in the Use Tax Act. In home rule municipalities with less than 2,000,000 inhabitants, the tax shall be collected by the municipality imposing the tax from persons whose Illinois address for titling or registration purposes is given as being in such municipality.

(b) In home rule municipalities with 2,000,000 or more inhabitants, the corporate authorities of the municipality may additionally impose a tax beginning July 1, 1991 upon the privilege of using in the municipality, any item of tangible personal property, other than tangible personal property titled or registered with an agency of the State's government, that is purchased at retail from a retailer located outside the corporate limits of the municipality, at a rate that is an increment of 1/4% not to exceed 1% and based on the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. Such tax shall be collected from the purchaser or the retailer either by the municipality imposing such tax or by the Department of Revenue pursuant to an agreement between the Department and the municipality.

To prevent multiple home rule taxation, the use in a home rule municipality of tangible personal property that is acquired outside the municipality and caused to be brought into the municipality by a person who has already paid a home rule municipal tax in another municipality in respect to the sale, purchase, or use of that property, shall be exempt to the extent of the amount of the tax properly due and paid in the other home rule municipality.

(c) If a municipality having 2,000,000 or more inhabitants imposes the tax authorized by subsection (a), then the tax shall be collected by the Illinois Department of Revenue when the property is purchased at retail from a retailer in the county in which the home rule municipality imposing the tax is located, and in all contiguous counties. The tax shall be remitted to the State, or an exemption determination must be obtained from the Department before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered if the Department and that agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce

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this Section to collect all taxes, penalties and interest due hereunder, to dispose of taxes, penalties and interest so collected in the manner hereinafter provided, and determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of and compliance with this Section the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties and definitions of terms, and employ the same modes of procedure as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19, 20, 21 and 22 of the Use Tax Act, which are not inconsistent with this Section, as fully as if provisions contained in those Sections of the Use Tax Act were set forth herein.

Whenever the Department determines that a refund shall be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in such notification from the Department. Such refund shall be paid by the State Treasurer out of the home rule municipal retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes, penalties and interest collected hereunder. On or before the 25th day of each calendar month, the Department shall prepare and certify to the State Comptroller the disbursement of stated sums of money to named municipalities, the municipality in each instance to be that municipality from which the Department during the second preceding calendar month, collected municipal use tax from any person whose Illinois address for titling or registration purposes is given as being in such municipality. The amount to be paid to each municipality shall be the amount (not including credit memoranda) collected hereunder during the second preceding calendar month by the Department, and not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of such municipality, less the amount expended during the second preceding month by the Department to be paid from the appropriation to the Department from the Home Rule Municipal Retailers' Occupation Tax Trust Fund. The appropriation to cover the costs incurred by the Department in administering and enforcing this Section shall not exceed 2% of the amount estimated to be deposited into the Home Rule Municipal Retailers' Occupation Tax Trust Fund during the fiscal year for which the appropriation is made. Within 10 days after receipt by the State Comptroller of the disbursement certification to the municipalities provided for in this Section to be given to the State Comptroller by the Department, the State Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in that certification.

Any ordinance imposing or discontinuing any tax to be collected and enforced by the Department under this Section shall be adopted and a certified copy thereof filed with the Department on or before October 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the municipalities as of January 1 next following such adoption and filing. Beginning April 1, 1998, any ordinance imposing or discontinuing any tax to be collected and enforced by the Department under this Section shall either (i) be adopted and a certified copy thereof filed with the

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Department on or before April 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the municipalities as of July 1 next following the adoption and filing; or (ii) be adopted and a certified copy thereof filed with the Department on or before October 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the municipalities as of January 1 next following the adoption and filing.

Nothing in this subsection (c) shall prevent a home rule municipality from collecting the tax pursuant to subsection (a) in any situation where such tax is not collected by the Department of Revenue under this subsection (c).

(d) Any unobligated balance remaining in the Municipal Retailers' Occupation Tax Fund on December 31, 1989, which fund was abolished by Public Act 85-1135, and all receipts of municipal tax as a result of audits of liability periods prior to January 1, 1990, shall be paid into the Local Government Tax Fund, for distribution as provided by this Section prior to the enactment of Public Act 85-1135. All receipts of municipal tax as a result of an assessment not arising from an audit, for liability periods prior to January 1, 1990, shall be paid into the Local Government Tax Fund for distribution before July 1, 1990, as provided by this Section prior to the enactment of Public Act 85-1135, and on and after July 1, 1990, all such receipts shall be distributed as provided in Section 6z-18 of the State Finance Act.

(e) As used in this Section, "Municipal" and "Municipality" means a city, village or incorporated town, including an incorporated town which has superseded a civil township.

(f) This Section shall be known and may be cited as the Home Rule Municipal Use Tax Act.

(Source: P.A. 90-562, eff. 12-16-97; 90-689, eff. 7-31-98; 91-51, eff. 6-30-99.)

Section 910. The Regional Transportation Authority Act is amended by changing Section 4.03 as follows:

(70 ILCS 3615/4.03) (from Ch. 111 2/3, par. 704.03)

Sec. 4.03. Taxes.

(a) In order to carry out any of the powers or purposes of the Authority, the Board may by ordinance adopted with the concurrence of 9 of the then Directors, impose throughout the metropolitan region any or all of the taxes provided in this Section. Except as otherwise provided in this Act, taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes.

(b) The Board may impose a public transportation tax upon all persons engaged in the metropolitan region in the business of selling at retail motor fuel for operation of motor vehicles upon public highways. The tax shall be at a rate not to exceed 5% of the gross receipts from the sales of motor fuel in the course of the business. As used in this Act, the term "motor fuel" shall have the same meaning as in the Motor Fuel Tax Act. The Board may provide for details of the tax. The provisions of any tax shall conform, as closely as may be practicable, to the provisions of the Municipal Retailers' Occupation Tax Act, including without limitation, conformity to penalties with respect to the tax imposed and as to the powers of the State Department of Revenue to promulgate and enforce rules and regulations relating to the administration and enforcement of the provisions of the tax imposed, except that reference in the Act to any municipality shall refer to the Authority and the tax

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shall be imposed only with regard to receipts from sales of motor fuel in the metropolitan region, at rates as limited by this Section.

(c) In connection with the tax imposed under paragraph (b) of this Section the Board may impose a tax upon the privilege of using in the metropolitan region motor fuel for the operation of a motor vehicle upon public highways, the tax to be at a rate not in excess of the rate of tax imposed under paragraph (b) of this Section. The Board may provide for details of the tax.

(d) The Board may impose a motor vehicle parking tax upon the privilege of parking motor vehicles at off-street parking facilities in the metropolitan region at which a fee is charged, and may provide for reasonable classifications in and exemptions to the tax, for administration and enforcement thereof and for civil penalties and refunds thereunder and may provide criminal penalties thereunder, the maximum penalties not to exceed the maximum criminal penalties provided in the Retailers' Occupation Tax Act. The Authority may collect and enforce the tax itself or by contract with any unit of local government. The State Department of Revenue shall have no responsibility for the collection and enforcement unless the Department agrees with the Authority to undertake the collection and enforcement. As used in this paragraph, the term "parking facility" means a parking area or structure having parking spaces for more than 2 vehicles at which motor vehicles are permitted to park in return for an hourly, daily, or other periodic fee, whether publicly or privately owned, but does not include parking spaces on a public street, the use of which is regulated by parking meters.

(e) The Board may impose a Regional Transportation Authority Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the metropolitan region. In Cook County the tax rate shall be 1% of the gross receipts from sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics, and 3/4% of the gross receipts from other taxable sales made in the course of that business. In DuPage, Kane, Lake, McHenry, and Will Counties, the tax rate shall be 1/4% of the gross receipts from all taxable sales made in the course of that business. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2c, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

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this Section may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination in a single amount with State taxes that sellers are required to collect under the Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

If a tax is imposed under this subsection (e), a tax shall also be imposed under subsections (f) and (g) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

Nothing in this Section shall be construed to authorize the Regional Transportation Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(f) If a tax has been imposed under paragraph (e), a Regional Transportation Authority Service Occupation Tax shall also be imposed upon all persons engaged, in the metropolitan region in the business of making sales of service, who as an incident to making the sales of service, transfer tangible personal property within the metropolitan region, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. In Cook County, the tax rate shall be: (1) 1% of the serviceman's cost price of food prepared for immediate consumption and transferred incident to a sale of service subject to the service occupation tax by an entity licensed under the Hospital Licensing Act or the Nursing Home Care Act that is located in the metropolitan region; (2) 1% of the selling price of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics; and (3) 3/4% of the selling price from other taxable sales of tangible personal property transferred. In DuPage, Kane, Lake, McHenry and Will Counties the rate shall be 1/4% of the selling price of all tangible personal property transferred.

The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions,

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exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1a-1, 2, 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the Authority), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the Authority), the first paragraph of Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, that charge may be stated in combination in a single amount with State tax that servicemen are authorized to collect under the Service Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

Nothing in this paragraph shall be construed to authorize the Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by the State.

(g) If a tax has been imposed under paragraph (e), a tax shall also be imposed upon the privilege of using in the metropolitan region, any item of tangible personal property that is purchased outside the metropolitan region at retail from a retailer, and that is titled or registered with an agency of this State's government. In Cook County the tax rate shall be 3/4% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. In DuPage, Kane, Lake, McHenry and Will counties the tax rate shall be 1/4% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the metropolitan region. The tax shall be collected by the Department of Revenue for the Regional Transportation Authority. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest collected in the manner hereinafter provided; and to determine all rights to

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credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act, and are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

(h) The Authority may impose a replacement vehicle tax of \$50 on any passenger car as defined in Section 1-157 of the Illinois Vehicle Code purchased within the metropolitan region by or on behalf of an insurance company to replace a passenger car of an insured person in settlement of a total loss claim. The tax imposed may not become effective before the first day of the month following the passage of the ordinance imposing the tax and receipt of a certified copy of the ordinance by the Department of Revenue. The Department of Revenue shall collect the tax for the Authority in accordance with Sections 3-2002 and 3-2003 of the Illinois Vehicle Code.

The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes collected hereunder. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the Authority. The amount to be paid to the Authority shall be the amount collected hereunder during the second preceding calendar month by the Department, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the disbursement certification to the Authority provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for that amount in accordance with the directions contained in the certification.

(i) The Board may not impose any other taxes except as it may from time to time be authorized by law to impose.

(j) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (e), (f) or (g) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(k) The provisions of any tax imposed under paragraph (c) of this Section shall conform as closely as may be practicable to the provisions of the Use Tax Act, including without limitation

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conformity as to penalties with respect to the tax imposed and as to the powers of the State Department of Revenue to promulgate and enforce rules and regulations relating to the administration and enforcement of the provisions of the tax imposed. The taxes shall be imposed only on use within the metropolitan region and at rates as provided in the paragraph.

(l) The Board in imposing any tax as provided in paragraphs (b) and (c) of this Section, shall, after seeking the advice of the State Department of Revenue, provide means for retailers, users or purchasers of motor fuel for purposes other than those with regard to which the taxes may be imposed as provided in those paragraphs to receive refunds of taxes improperly paid, which provisions may be at variance with the refund provisions as applicable under the Municipal Retailers Occupation Tax Act. The State Department of Revenue may provide for certificates of registration for users or purchasers of motor fuel for purposes other than those with regard to which taxes may be imposed as provided in paragraphs (b) and (c) of this Section to facilitate the reporting and nontaxability of the exempt sales or uses.

(m) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the Regional Transportation Authority as of September 1 next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following such adoption and filing.

(n) The State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the Authority. The taxes shall be held in a trust fund outside the State Treasury. On or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the Authority, which shall be the then balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds. The State Department of Revenue shall also certify to the Authority the amount of taxes collected in each County other than Cook County in the metropolitan region less the amount necessary for the payment of refunds to taxpayers in the County. With regard to the County of Cook, the certification shall specify the amount of taxes collected within the City of Chicago less the amount necessary for the payment of refunds to taxpayers in the City of Chicago and the amount collected in that portion of Cook County outside of Chicago less the amount necessary for the payment of refunds to taxpayers in that portion of Cook County outside of Chicago. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the Authority, the Comptroller shall cause an order to be drawn for the payment for the amount in accordance with the direction in the certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in July 1991 and each year thereafter to the Regional Transportation Authority. The allocation

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shall be made in an amount equal to the average monthly distribution during the preceding calendar year (excluding the 2 months of lowest receipts) and the allocation shall include the amount of average monthly distribution from the Regional Transportation Authority Occupation and Use Tax Replacement Fund. The distribution made in July 1992 and each year thereafter under this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department of Revenue shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(o) Failure to adopt a budget ordinance or otherwise to comply with Section 4.01 of this Act or to adopt a Five-year Program or otherwise to comply with paragraph (b) of Section 2.01 of this Act shall not affect the validity of any tax imposed by the Authority otherwise in conformity with law.

(p) At no time shall a public transportation tax or motor vehicle parking tax authorized under paragraphs (b), (c) and (d) of this Section be in effect at the same time as any retailers' occupation, use or service occupation tax authorized under paragraphs (e), (f) and (g) of this Section is in effect.

Any taxes imposed under the authority provided in paragraphs (b), (c) and (d) shall remain in effect only until the time as any tax authorized by paragraphs (e), (f) or (g) of this Section are imposed and becomes effective. Once any tax authorized by paragraphs (e), (f) or (g) is imposed the Board may not reimpose taxes as authorized in paragraphs (b), (c) and (d) of the Section unless any tax authorized by paragraphs (e), (f) or (g) of this Section becomes ineffective by means other than an ordinance of the Board.

(q) Any existing rights, remedies and obligations (including enforcement by the Regional Transportation Authority) arising under any tax imposed under paragraphs (b), (c) or (d) of this Section shall not be affected by the imposition of a tax under paragraphs (e), (f) or (g) of this Section.

(Source: P.A. 91-51, eff. 6-30-99.)

Section 915. The Water Commission Act of 1985 is amended by changing Section 4 as follows:

(70 ILCS 3720/4) (from Ch. 111 2/3, par. 254)

Sec. 4. (a) The board of commissioners of any county water commission may, by ordinance, impose throughout the territory of the commission any or all of the taxes provided in this Section for its corporate purposes. However, no county water commission may impose any such tax unless the commission certifies the proposition of imposing the tax to the proper election officials, who shall submit the proposition to the voters residing in the territory at an election in accordance with the general election law, and the proposition has been approved by a majority of those voting on the proposition.

The proposition shall be in the form provided in Section 5 or shall be substantially in the following form:

| | |
|----------------------------------|-------|
| ----- | |
| Shall the (insert corporate | |
| name of county water commission) | YES |
| impose (state type of tax or | ----- |
| taxes to be imposed) at the | NO |
| rate of 1/4%? | |
| ----- | |

Taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to

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administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes.

(b) The board of commissioners may impose a County Water Commission Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the territory of the commission at a rate of 1/4% of the gross receipts from the sales made in the course of such business within the territory. The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax except that food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicine, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 2c, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act and under subsection (e) of Section 4.03 of the Regional Transportation Authority Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water commission tax fund established under paragraph (g) of this Section.

For the purpose of determining whether a tax authorized under this paragraph is applicable, a retail sale by a producer of coal or other mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

If a tax is imposed under this subsection (b) a tax shall also be imposed under subsections (c) and (d) of this Section.

Nothing in this paragraph shall be construed to authorize a

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county water commission to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

(c) If a tax has been imposed under subsection (b), a County Water Commission Service Occupation Tax shall also be imposed upon all persons engaged, in the territory of the commission, in the business of making sales of service, who, as an incident to making the sales of service, transfer tangible personal property within the territory. The tax rate shall be 1/4% of the selling price of tangible personal property so transferred within the territory. The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1a-1, 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the territory of the commission), 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax except that food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 4 (except that the reference to the State shall be to the territory of the commission), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the commission), 9 (except as to the disposition of taxes and penalties collected and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the territory of the commission), the first paragraph of Section 15, 15.5, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, and any tax for which servicemen may be liable under subsection (f) of Sec. 4.03 of the Regional Transportation Authority Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water

commission tax fund established under paragraph (g) of this Section.

Nothing in this paragraph shall be construed to authorize a county water commission to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(d) If a tax has been imposed under subsection (b), a tax shall also imposed upon the privilege of using, in the territory of the commission, any item of tangible personal property that is purchased outside the territory at retail from a retailer, and that is titled or registered with an agency of this State's government, at a rate of 1/4% of the selling price of the tangible personal property within the territory, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the territory. The tax shall be collected by the Department of Revenue for a county water commission. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest so collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of, and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers, and except that food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act and Section 3-7 of the Uniform Penalty and Interest Act that are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water commission tax fund established under paragraph (g) of this Section.

(e) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or

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under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (c) or (d) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(f) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the county water commission as of September 1 next following the adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following such adoption and filing.

(g) The State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the commission. The taxes shall be held in a trust fund outside the State Treasury. On or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the commission, which shall be the then balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the commission, the Comptroller shall cause an order to be drawn for the payment for the amount in accordance with the direction in the certification.

(Source: P.A. 91-51, eff. 6-30-99.)"; and

on page 7, line 18, by replacing "Section 99." with "Section 999".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 251 was recalled from the order of third reading to the order of second reading.

Senator Dillard offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 251 as follows:
on page 4, line 7, by replacing "10" with "12".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Link, Senate Bill No. 326 was recalled from

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the order of third reading to the order of second reading.

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 326 on page 1, line 22, after "State", by inserting "or the United States"; and on page 1, line 26, by replacing "State" with "States".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Burzynski, Senate Bill No. 528 was recalled from the order of third reading to the order of second reading.

Senator Burzynski offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 528, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Nursing and Advanced Practice Nursing Act is amended by adding Section 5-21 as follows:

(225 ILCS 65/5-21 new)

Sec. 5-21. No rule shall be adopted under this Act that allows a registered nurse, a licensed practical nurse, or an advanced practice nurse to perform any act, task, or function that requires professional judgement and that is primarily performed in the lawful practice of optometry under the Illinois Optometric Practice Act of 1987.

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Peterson, Senate Bill No. 856 was recalled from the order of third reading to the order of second reading.

Senator Peterson offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 856 on page 16, line 12, by replacing "up to" with "not less than 10 and not more than"; and on page 16, line 14, after "possessing", by inserting "not less than 10 and not more than 100 packages of"; and on page 16, by replacing lines 19 and 20 with "for each such package of cigarettes, unless reasonable cause can be established by the person upon whom the penalty is imposed. Reasonable cause shall be determined in each situation in accordance with rules adopted by the Department."; and on page 32, line 4, by replacing "up to" with "not less than 10 and not more than"; and on page 32, line 6, after "possessing", by inserting "not less than 10 and not more than 100 packages of"; and

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on page 32, by replacing lines 11 and 12 with "for each such package of cigarettes, unless reasonable cause can be established by the person upon whom the penalty is imposed. Reasonable cause shall be determined in each situation in accordance with rules adopted by the Department."; and

on page 32, line 14, after "possession", by inserting "of".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was ordered to a third reading.

At the hour of 5:03 o'clock p.m., Senator Weaver presiding.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES
A FIRST TIME

House Bill No. 158, sponsored by Senators Halvorson - E. Jones was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 264, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 446, sponsored by Senator Syverson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 479, sponsored by Senator Trotter was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 544, sponsored by Senator Sieben was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 800, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1008, sponsored by Senator Bomke was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1810, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1929, sponsored by Senator Obama was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2113, sponsored by Senator Dudycz was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2440, sponsored by Senator Radogno was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2550, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2552, sponsored by Senator Sieben was taken up, read by title a first time and referred to the Committee on Rules.

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House Bill No. 3048, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3085, sponsored by Senator Luechtefeld was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3119, sponsored by Senator Donahue was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3332, sponsored by Senator Noland was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3387, sponsored by Senator Watson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 305, sponsored by Senator Watson was taken up, read by title a first time and referred to the Committee on Rules.

COMMITTEE MEETING ANNOUNCEMENTS

Senator Hawkinson, Chairperson of the Committee on Judiciary announced that the Judiciary Committee will meet Tuesday, April 3, 2001 in Room 400, Capitol Building, at 9:00 o'clock a.m.

Senator Burzynski, Chairperson of the Committee on Licensed Activities announced that the Licensed Activities Committee will meet Tuesday, April 3, 2001 in Room A-1, Stratton Building, at 11:30 o'clock a.m.

Senator Klemm, Chairperson of the Committee on Executive announced that the Executive Committee will meet Tuesday, April 3, 2001 in Room 212, Capitol Building, at 10:30 o'clock a.m.

Senator O'Malley, Vice-Chairperson of the Committee on Education announced that the Education Committee will meet Tuesday, April 3, 2001 in Room 212, Capitol Building, at 11:00 o'clock a.m.

Senator Peterson, Chairperson of the Committee on Revenue announced that the Revenue Committee will meet Tuesday, April 3, 2001 in Room 400, Capitol Building, at 10:30 o'clock a.m.

Senator Parker, Vice-Chairperson of the Committee on Public Health and Welfare announced that the Public Health and Welfare Committee will meet Tuesday, April 3, 2001 in Room 400, Capitol Building, at 9:45 o'clock a.m.

Senator Parker, Chairperson of the Committee on Transportation announced that the Transportation Committee will meet Tuesday, April 3, 2001 in Room A-1, Stratton Building, at 11:00 o'clock a.m.

Senator Luechtefeld, Vice-Chairperson of the Committee on State Government Operations announced that the State Government Operations Committee will meet Tuesday, April 3, 2001 in Room A-1, Stratton Building, at 10:30 o'clock a.m.

Senator Dillard, Chairperson of the Committee on Local Government announced that the Local Government Committee will meet Tuesday, April 3, 2001 in Room A-1, Stratton Building, at 9:45 o'clock a.m.

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LEGISLATIVE MEASURE FILED

The following floor amendment to the Senate Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 3 to Senate Bill 724

At the hour of 5:09 o'clock p.m., the Chair announced that the Senate stand adjourned until Tuesday, April 3, 2001 at 12:00 o'clock noon.

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